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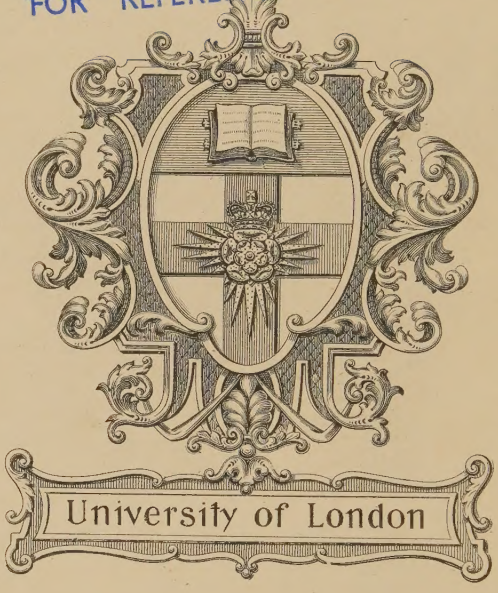

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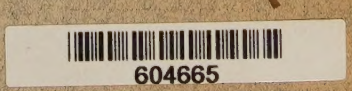
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REPORT

ON THE

DISCIPLINE AND MANAGEMENT

OF THE

CONVICT PRISONS.

1850.

BY LIEUT.-COL. JEBB, C.B.,

SURVEYOR-GENERAL OF PRISONS, CHAIRMAN OF THE DIRECTORS, &c.

Presented to both Houses of Parliament by Command of Her Majesty.

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1851.

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PLANS OF DARTMOOR PRISON.

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1. Block Plan.
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3. Transverse Section of No. 2 Prison, showing four tier of Cells, Galleries, and Heating-Apparatus, &c.
4. Longitudinal Section of a Cell, showing the Gallery and Means of Ventilation, &c ; and Elevation of a Cell, showing Door and Window.
5. Ground Plan of Chapel and Kitchen Buildings.
6. Inside Elevation of Chapel and of Kitchen.
7. Plans of Entrance-Building, containing Offices, &c., and Accommodation for Single Officers.

REPORT

ON THE

DISCIPLINE AND MANAGEMENT OF THE CONVICT PRISONS.

1850.

By Lieut.-Col. JEBB, C.B., Surveyor-General of Prisons,
Chairman of the Directors, &c.

To The Right Hon. Sir G. Grey, Bart., G.C.B.,

Secretary of State for the Home Department.

Sir, 45, *Parliament Street*, 14*th June*, 1851.

In compliance with your directions I have the honour to submit a Report in reference to those general subjects connected with the management and disposal of convicts, which you have placed under my immediate superintendence, as Chairman of the Directors of Convict Prisons.

It may be convenient that I should take the different points which appear to require notice in the following order:— Order of s cessi n in which the ject is treat

1st. The accommodation at the disposal of Government, and the distribution of the convicts in the different establishments.

2nd. The general statistics of the year, showing the number remaining in the Convict Prisons on the 31st of December, 1850—the number received into the different prisons, or embarked for the Colonies, or who have died, during the year.

3rd. The general system of discipline, and its apparent moral effects. Millbank and Pentonville prisons—public works at Portland and the Hulks—new establishment at Dartmoor—Parkhurst prison, and treatment of juvenile offenders, &c.

4th. The diet—proportionate cost and earnings—working-hours, &c., in the different prisons.

5th. Disposal of convicts in the Colonies—establishment in Western Australia.

6th. Remarks on separate confinement and associated labour—District prisons—Construction of prisons, &c.

CONVICT PRISONS.

With regard to the first point, the accommodation at the disposal of the Government and the distribution of the convicts are detailed in the following return, which gives these particulars for the 31st of December, 1850 :—

Return showing the accommodation and the distribution of the convicts.

ESTABLISHMENTS.	Accommodation.	Total Accommodation	Present Numbers.		Present Vacancies.		Remarks.
Prisons for Separate Confinement.							
Millbank	1100	..	910	..	190	..	
Pentonville	531	..	527	..	4	..	
Wakefield	412	..	413	..	..	..	Cells in County or Borough Prisons rented by the Government.
Preston	50	..	50	..	..	..	
Leeds	80	..	79	..	1	..	
Leicester	120	..	119	..	1	..	
Northampton	60	..	62	..	..	..	
Bath	24	..	23	..	1	..	
Reading	40	..	38	..	2	..	
Bedford	50	..	48	..	2	..	
Total, Separate Confinement		2467		2269		201	
Prisons for Labour on Public Works, &c.							
Portland	840	..	782	..	58	..	Convicts employed in the construction of the breakwater.
Dartmoor	173	..	173	..	..	..	Commencement of a Convict Prison.
						58	
Hulks for Labour on Public Works.							
"Warrior" } Woolwich	450	..	444	..	6	..	Convicts employed on public works in the Dockyards and Arsenals.
"Justitia" } Woolwich	450	..	422	..	28	..	
"Stirling Castle" } Ports-	450	..	447	..	3	..	
"York" . . . } mouth	430	..	421	..	9	..	
Total Number on Public Works		2793		2689		46	
Present Invalid Depôts.							
"Defence" Hulk	400	..	395	..	5		
Shorncliff	259	..	259	..	..	..	Temporary.
		659		654		5	
Prison for Juveniles.							
Parkhurst	..	562	..	516	..	46	158 Cells were destroyed by fire, reducing the accommodation from 720 to 562.
Total	..	6481	..	6128	..	356	

The usual course adopted by me in applying the accommodation so as to secure the object of subjecting all prisoners under sentence of transportation to the periods of probation laid down in the Regulations previously to their final disposal with tickets-of-leave, or otherwise, is as follows:— Mode of applying the accommodation.

A return of the number of prisoners under sentence in the county and borough prisons is furnished to me from the Home Office on the first of every month, accompanied by an estimate of the number who may probably be sentenced during the ensuing three months.

From this information, coupled with a Monthly Return from each convict prison of the number in confinement, and other particulars, enabling me to judge of the number who are eligible for embarkation, I determine on the period when application for a convict ship can properly be made. With the approval of the Secretary of State for the Colonies, the Lords of the Admiralty subsequently charter and fit the ship.

The embarkation of the men creates a certain number of vacancies on the public works, which are filled up by a selection from among the prisoners who have undergone the longest term of separate confinement at Pentonville, Millbank, Wakefield, and other prisons; and with the exception of Pentonville and Parkhurst, these prisons are again filled up by warrants, direct from the Home Office, to the Governors of the county and borough prisons.

As regards Pentonville and Parkhurst the selection is usually made from Millbank, and special warrants are granted for the removal of the men and boys.

Complaints have at various times been urged by the visiting justices of county and borough prisons, representing the inconvenience to which they are subject by convicts being left in prison long after they have received sentence of transportation. Inconvenience from convicts being left in county prisons long after sentence.

It has been my anxious endeavour, under your directions, to obviate, as far as circumstances would permit, any cause for such complaints, and it is satisfactory, Sir, to me to state that at the close of the year, for the first time within my experience, there were more vacancies in the convict prisons than there were prisoners under sentence of transportation to fill them.

GENERAL STATISTICS.

General Statistics.

The general Statistics of the year are detailed in the subjoined statement, and also in the Return, Appendix, page 76.

On the 1st of January, 1850—

The number of Prisoners remaining in the Convict Prisons was		5929	
Received during the year 1850		2694	
	Total		8623

Disposed of during the year:—

Embarked for	Van Diemen's Land, with tickets of leave	1386		
	Western Australia, to Public Works	384		
	Norfolk Island, as being incorrigible	38		
	Bermuda, to Public Works	284		
			2092	
Removed to	Lunatic Asylums	14		
	Philanthropic Society's farm-school	13		
			27	
Pardoned	Free	11		
	Conditional	20		
	On medical grounds	105		
	On expiration of a moiety of their sentence under an old rule	111		
			247	
Escaped			13	
Deaths			116	
				2495*
Remaining in the Convict Prisons 31st of December, 1850				6128
	Total			8623

Embarkations and Conduct of Convicts during the Voyage.

Embarkations and conduct of convicts on the voyage.

The ships which sailed to the colonies during the year, and the prisons from which the convicts were embarked, will be seen in full detail in a Return, Appendix, page 77.

The accounts received, in the Reports of the Surgeons-Superintendent and Religious Instructors, of the conduct of the men

* The number of convicts sentenced to transportation in England and Wales during the year 1850 was 2200 males and 400 females.

during the different voyages, have on the whole been very satisfactory. The following are extracts:—

Extracts from the Reports of Surgeons-Superintendent and Chaplain during the voyage.

From Dr. Andrews, Surgeon-Superintendent of the "Eliza:"—

"Hobart Town, 16th April, 1850.

"It gives me the greatest pleasure to be enabled to inform you that, with the exception of J. W., one of the men from the 'Warrior' hulk, I had not occasion to inflict any kind of punishment during the voyage. I gave the convicts during the voyage all proper indulgence, which I am glad to say was gratefully appreciated."

From Dr. Gibson—the "Scindian:"—

"Swan River, 12th July, 1850.

"It is very satisfactory to me to be able to give a most favourable report of the conduct during the voyage of the whole of the prisoners whom I embarked from Portland. They were orderly in every respect, not only giving me no trouble, but great delight in witnessing the cheerfulness and willing obedience which they displayed to the duties required of them. They daily improved their time at school, and all seemed to vie with each other in industry on the work allotted to them."

From Dr. Le Grand, Surgeon-Superintendent of the "Rodney:"—

"Hobart Town, 10th Dec. 1850.

"The conduct of the prisoners generally during the passage was remarkably good, and there has consequently been little punishment required. The ticket-of-leave of J. B. from the 'York' hulk was withheld in consequence of misconduct while in harbour. This was the only prisoner whose ticket was forfeited."

From the Rev. J. K. Walpole, Chaplain and Religious Instructor of the "Rodney:"—

"Hobart Town, 1850.

"The prisoners and the guard having now left the ship, I have the honour to address you with reference to what has occurred on our passage out. . . . . .

"The prisoners, as a body, were tractable and respectful; individual exceptions to this remark, of course, there were; but the surgeon, by his vigilance and excellent and kind discipline, maintained things in a most comfortable condition. A convict from Portland kept all the school records, and superintended the men's school; he gave entire satisfaction, as did also the teachers, especially four men from Portland; the convicts, also, were orderly and industrious in school. There were two brothers especially, who conducted themselves in an exemplary manner; I could mention many more with approbation, were it not that I am prevented by the limits of a letter.

The present state of convict ships, throughout such a long

Extracts from the Reports of Surgeons-Superintendent, &c., during the voyage.

voyage, compared with what they were formerly, ought to be a great source of pleasure to those who have promoted the change of system. The previous training in England, the gradational concessions of indulgence, and the hope that is kept alive in the prisoners to better themselves continually in the country whither they are going, and all depending on their good conduct, are the evident results of Christian benevolence, a knowledge of the human mind, and a most decidedly wise policy, as tending, I believe, when fairly carried out, to benefit, not the prisoners only, but society at large, in a moral and pecuniary way, besides serving the interests of the empire generally. I should trust this system will continue and extend, receiving, from time to time, such improvements as experience may suggest."

From Dr. Campbell, Surgeon-Superintendent of the "William Jardine:"—

"London, April, 1851.

"I beg leave to acquaint you that I landed from the 'William Jardine' convict ship at Hobart Town, on the 21st of November, 1850, 260 male prisoners in perfect health, and the majority seemingly much improved by the voyage.

"I may observe that, in the management of the prisoners, a mild but firm plan was pursued, and I soon had the satisfaction to see my orders executed with willingness and alacrity. Measures were taken to employ them at work in various ways; and schools were also established under the religious instructor. By such means general good health was maintained, and the greatest harmony and good feeling prevailed amongst them.

"Before leaving England three of the twelve Incorrigibles who had been embarked effected an entrance into the store-room by the chain-locker and stole two hams. As the case was clear against them, after a full investigation, I deemed it requisite to make an example, and ordered them to be flogged in presence of their companions, and two from each mess in the main prison. From that time the conduct of these twelve men was remarkably good, and I was soon enabled to release them from their irons. The treatment of these men seemed to have great effect in controlling the other prisoners, as many of them in writing to their relatives and old associates alluded to the difference of their positions.* Punishments and coercive measures were, therefore, very seldom necessary, and any mark of kindness in sickness or at other times seemed to be much appreciated."

"The superintendent of the Prisoners' Barrack at Hobart Town, in alluding to the prisoners from the ship 'William Jardine,' states, 'I was struck with the steadiness and respectful demeanour of these men when first received, and, although a few of them have since committed irregularities, I have every reason to feel satisfied with the general conduct of the majority.' I may add that nearly all seemed very desirous for employment, and, as a considerable

* Incorrigible prisoners, destined for probationary discipline in Norfolk Island, are embarked in irons, and are kept separate from others during the voyage.

number were engaged before I left the colony, I confidently hope, from their behaviour when under my charge, that many will live to become good and useful members of society."

Extracts from the Reports of Surgeons-Superintendent, &c., during the voyage.

From John G. Williams, Esq., Surgeon-Superintendent of the "Maria Somes:"—

"17th May, 1851.

"Taking into consideration the great number that were confined together in so small a space as the between-decks of a convict ship, and where so many opposite tempers were assembled, I never saw a better-behaved set of men.

"I felt the greatest interest in the well-being of my charge; they were kind one to another, and evinced much gratitude when any trifling act of kindness was shown to them."

From Dr. Bowler, R.N., Surgeon-Superintendent of the "Hashemy" convict ship:—

"Sir, "20th May, 1851.

"I have much pleasure in reporting my arrival in England, and of informing you that the convicts sent out in the ship 'Hashemy,' under my superintendence, from Portland to Western Australia in July last, were landed at Fremantle, in October following, in a healthy condition.

"I have great satisfaction in stating that (with a slight exception) they conducted themselves throughout the voyage in the most orderly and becoming manner, giving me very little trouble, which I duly reported to his Excellency the Governor, with a strong recommendation for a mitigation in their punishments, as awarded to the prisoners of the 'Scindian,' should they continue to behave well; and up to the time of my leaving the port—a month after disembarkation—the Comptroller-General, Capt. Henderson, R.E., spoke of them in the same favourable terms.

"I was much assisted in my duties by the warders, and found them of more essential use than the guard of pensioners.

"There appears to be a great demand for convict-labour at the Swan River Settlement."

From John Gibson, Esq., R.N., Surgeon-Superintendent of the "Nile" convict ship:—

"Sir, "6th June, 1851.

"I have the honour to acquaint you that the convict ship 'Nile' sailed from Portland Roads on the 5th of July, with 300 ticket-of-leave men, and arrived at Hobart Town, Van Diemen's Land, on the 3rd of October, 1850, with 299, one having died during the voyage. Their general conduct throughout the voyage was quiet, orderly, and obedient."

From Mr. Cooper, Religious Instructor of the "Nile" convict ship:—

"Sir, "14th May, 1851.

"The 'Nile' left Portland Roads on the 5th of July, 1850, with 300 male prisoners (made up of 132 from Portland, 136 from

the hulks, 30 from Parkhurst, and 2 from Pentonville), for Van Diemen's Land, and, after a fine passage of eighty-seven days, arrived at the port of her destination with all on board in good health. Only one death occurred among the prisoners during the passage.

"The conduct of the men generally was very satisfactory, both to the surgeon-superintendent and myself."

The general System of Discipline.

General system of discipline.

With regard to the general system of discipline which has been established, and its moral effects, it must be premised that it is only yet in partial operation, nor can it be fairly judged of as a whole until there exists at the disposal of the Government the full means for applying it.

First probationary period.

As regards the first probationary period of twelve months in separate confinement, this is only fully carried out at Pentonville, Wakefield, Reading, and the other county prisons in which cells have been rented by the Government. And as regards the year 1850, I must further qualify this remark, by stating that circumstances over which I had no control compelled me to seek your sanction to the removal of convicts from these prisons after a shorter period than is laid down in the regulations, or than I should otherwise have considered desirable.

Second probationary period.

With reference to the second probationary period on public works, Portland is at the present time the only establishment where the plans of the Government are in full operation.

I will now proceed briefly to notice the discipline in the different convict prisons, and its apparent effects.

MILLBANK PRISON.

Millbank Prison.

At Millbank, where very nearly one half of the prisoners under the first probationary period are confined, the restrictions deemed by medical authority to be necessary on account of health limit generally the period of separation to six months, after which the prisoners are more or less in association, previous to their removal.

Of the 1100 male prisoners usually confined at Millbank there are only 700 in separate cells; the remaining 400, after a period of about six months' separation, are lodged in large dormitories, and take their meals and sleep under strict inspection day and night.

Removals from Millbank to public works.

As vacancies occur at Portland and other establishments for public works, prisoners are for the above reasons removed from

time to time from Millbank, after shorter periods of probation than from other prisons. The chaplain of Portland prison thus adverts to the practice :—

"This leads me to express my regret that many men who have been sent from Millbank do not appear to have been for a sufficient period in separate confinement to have derived the same advantages with prisoners sent from prisons where the period is extended to nearly twelve instead of six or eight months. This circumstance has strongly confirmed the opinion I had previously formed, and have frequently expressed, that, as a general rule, prisoners should be subjected to the full period of separate confinement contemplated under the present regulations, previous to their being removed to public works either at home or on foreign stations."

The Rev. J. Penny, the chaplain, speaking of the instruction and conduct of the prisoners at Millbank, states as follows :—

Chaplain's remarks on the instruction and conduct of prisoners

"The system of moral and religious instruction has, in its main characters, continued the same as before. Some minor variations in the *method* of imparting instruction may, however, in this place, be noticed.

"The distribution of the prisoners into four classes has been retained,—the most ignorant forming the *first* class, the next gradation the *second*, and so on,—the most intelligent constituting the fourth or highest class."

Of progress generally made by the prisoners—all circumstances attending their situation considered—the Chaplain entertains as favourable a persuasion as might, in his opinion, be reasonably expected :—

"Of the behaviour of the prisoners in school, it is satisfactory to state that instances of resolved carelessness or turbulence have been of rare occurrence.

"The appointment of a Scripture Reader or Religious Instructor as an additional help to the Chaplain has been attended with benefit,—Mr. Postance, the individual filling the office, having, in cheerful compliance with the directions of the latter, been in the constant practice of visiting the cells for the purpose of reading the Word of God with the prisoners individually, irrespective of age, and bestowing much time, especially on the juvenile prisoners in separation, for catechetical instruction.

"The prisoners in association have attended the chapel services every morning; but want of room has restricted those in separation to attendance on alternate days.

"The former have likewise had the benefit of two full services every Sunday; while, for the reason just assigned, the latter have had one service only, in the morning and afternoon alternately.

"The Holy Communion has been administered four times to such of the male prisoners as were desirous of receiving it, provided no valid objection appeared against their so doing,—all the applicants having been previously visited by the assistant chaplain with a view to their being suitably prepared for the ordinance."

PENTONVILLE PRISON.

Pentonville prison.

The experiment in prison discipline which was in progress from 1843 to 1849 having been brought to a close, the accommodation in this important prison has been rendered available for the general purposes of the convict service.

Change in the description of convicts sent.

This change has led to a wide departure from the practice which previously existed of making a very careful selection from the great body of convicts of such as were specially qualified to bear long periods of separation.

No such special selection, either on physical or moral grounds, nor as regards length of sentence, or age, (exclusive of boys,) is now made.

All convicts under sentence of transportation, excepting such as are obviously unfit for separation, are sent indifferently to the various prisons at the disposal of the Government, and all have, therefore, as nearly as circumstances permit, an equal amount of punishment and instruction during the first probationary period of discipline.

In instituting any comparison between the moral and physical effects of the discipline at Pentonville under present circumstances, and the former more favourable conditions, this point must not be lost sight of.

The Chaplain thus adverts to it in his Annual Report to the Directors:—

Chaplain's remarks on the change as regards the convicts sent to Pentonville.

"To do justice to the consideration of these several important matters, it seems to me requisite to bear in mind that the prisoners who are the subjects of this Report were not a class of convicts selected for this prison upon grounds specially favourable to a good result, either as regards their penal sentence, moral character, age, or physical constitution.

"The experiment in the first five or six years of this prison was in fact fully tried with almost every advantage. In 1850 it has been tested under the greatest disadvantages excepting the shortening of the imprisonment. There is now, therefore, a better opportunity, making allowance for the common condition of the prisoners in both periods, as men placed under the heaviest of our secondary punishments, than ever before of judging from our experience of the general applicability of separate confinement as an improved mode of punishment, which reaches the offender through the mind and conscience rather than through bodily privations or bodily sufferings.

"In the 1300 prisoners and upwards, the subjects of the first four years' experiment, there were but 79 cases of sentence above 10 years; and, to refer to crimes, only one case of assault of a murderous kind, which had many extenuating circumstances connected with it, and only four of violence perpetrated on the persons of females. In the prison population in 1850, in all 1220, as many as 224 were men sentenced to transportation for the term of 15 years and upwards, 80 of whom were for life.

"It is very obvious that so great a difference in the circumstances and character of our prisoners must very much increase the amount of anxiety and discouragement of those who are called to labour for their moral and religious improvement, and indeed of those whose duty it is to carry out the discipline. At the same time I think increased experience in the treatment of criminals should more than fully compensate for the change, and enable us to meet the increased difficulties even with advantage.

"However this may be, I feel that one in my position has no reason to relax his efforts for the reformation of those committed to his charge from the weight of this discouragement and increased responsibility, or to put forth those efforts with less of that spirit of faith and hope which constitutes more than half their value. On the contrary, the increased responsibility appears to me to call for increased exertion and for increased reliance upon Him who alone can give life to dead souls and by his Spirit renew the depraved and polluted heart of the sinner; and I would therefore stir myself up as a minister of Christ amongst these outcasts of society to more faith and devotedness to the great end of my mission, the salvation of their souls."

Notwithstanding this difference of circumstances, however, I may venture to express a confident hope that the result has been satisfactory.

Mr. Kingsmill thus observes upon it:—

Chaplain's remarks on the moral and religious condition of the prisoners.

"With regard to the improvement of the prisoners' moral and religious condition during the past year, I proceed to make a few observations.

"It is something to be able to say of such a body of convicts that they have been remarkably amenable to the discipline of the prison.

"In the Commissioners' Second Report of this prison it is remarked that so small a number of punishments as 139 in 500 prisoners in one year was without a parallel.

"In the last year out of 1220 prisoners there were only 281 cases of punishment.

"But however this may be regarded as a sign of moral improvement, and I admit it to be a very doubtful one, it speaks well for separate confinement as a general punishment for criminals, and shows also, I think satisfactorily, that no undue irritation of mind or temper prevailed in the prison during the last year, unless it be supposed that the discipline has been greatly relaxed in this respect, which I do not think has been the case. On the contrary, for at least the latter part of the year 1850 there has been evidently an increased amount of vigilance and minute inspection carried out by the discipline officers.

"The number of offences committed by those prisoners who by the rules are permitted to be placed more or less in association for cooking, baking, and the general services of the prison, has been remarkably small, and the conduct of these men, in general, praiseworthy and exemplary.

"One thing also is certain, that, although the cases of real change of heart in individuals may be found, when all are fully tested, to be

rare in the ministry of the prison chaplain, his experience every year more strongly fixes in his mind the persuasion of the immense value of true Christianity in its general acceptance in promoting amongst men of a degraded stamp the feelings of order, respect for authority and law, industrious habits, and regard for the rights of others.

"The great work of the suppression of crime, in fact, in the land, belongs less, practically viewed, to the law, the police, and the officials of prisons, than to society itself at large, and the great community of real Christian persons in particular. The best interests of the country, as well as of humanity and religion, suggest that more should be done outside the prison walls with this object. The lapse into crime of one individual involves that of others in most cases, and is often the cause of hurrying many into recklessness of living, profligacy, and ruin."

Stimulus to exertion required.

The discipline as it still exists at Pentonville is not, however, exactly what I should like to see it. In a former Report I pointed out that the prisoners required some stimulus to exertion when at work in their cells,—that I conceived the best way of effecting this would be to exact a certain amount of work suitable to the strength of each individual,*—and that, beyond this, the men should have some interest in the extra work performed—such, for instance, as a gratuity, credited for their future benefit. I stated that such an arrangement would not only maintain the mind in an active, healthy state, but also induce habits of industry and exertion.

Measures are in progress for obtaining this advantage, which will, I trust, have a beneficial effect.

COUNTY AND BOROUGH PRISONS.

Discipline in County and Borough prisons.

I have every reason, Sir, to be satisfied with the results of the discipline to which the convicts are subjected under the superintendence of the Visiting Justices in the different county and borough prisons in which cells are rented by the Government †

The subsequent conduct of the men on Public Works has afforded ample proof of the care and attention which have been bestowed upon them during their first stage of punishment by the Governor and Chaplain.

Wakefield prison.

Of 835 convicts in these prisons, nearly one-half are at Wakefield; which, on account of the great number, is more closely connected with the convict prisons under supervision of the Directors than other county prisons where the numbers are more limited. I cannot speak in too strong terms of the

* Second Report of the Surveyor-General of Prisons, pp. 47, 48.
† See Return, page 2.

unremitting care with which the objects of the Government are worked out at Wakefield, both as regards the industrial occupation and the instruction.

The following are extracts from a Report to the Visiting Justices by the Rev. J. Reynolds, the Chaplain:—

General Conduct and appearance of Improvement while in Wakefield Prison.

Extracts from the Chaplain's Report to the Visiting Justices of Wakefield.

"As regards prison conduct, out of the 461 men removed during the year 1850, 377 were not punished, while on the other hand marked attention and devout behaviour in chapel, diligence in the private use of religious and secular means of improvement, gratitude for the opportunities afforded to them, openness in their intercourse with the assistant chaplain and myself, patience under their punishment, gave grounds to hope that a very large number had been benefited by the means used for their reformation."

"Much valuable information, confirmatory of this opinion, was received during the past year with reference to these men.

"One hundred convicts sailed in the 'Hashemy' convict ship for Australia, with tickets of leave, in February 1849, and reached Sydney in July following.

Information relative to men subsequent to their removal from Wakefield.

"Although much aversion to convicts' labour had existed in the colony, when those men arrived the excellent character which Dr. Browning, the surgeon-superintendent, was able to give secured for them a welcome, and induced the colonists to engage their services and even to prefer them to emigrants who had arrived about the same time.

"In addition to the information received concerning the foregoing draft, I had the pleasure to receive intelligence regarding 100 convicts sent from this prison to Portland and embarked from thence with tickets of leave. It appears from the official returns that out of this number only fifteen committed any irregularity during the voyage. A large number of the prisoners referred to had left this prison with indifferent characters, but were highly commended for their conduct during the voyage."

The following information relative to 256 men removed to Portland, November 1848, is also encouraging, as showing their progress:—

Report on 256 men sent from Wakefield to Portland.

"Characters on removal to Portland.

Class	I.—(Satisfactory)	61	
„	II.—(Considerably improved)	87	
„	III.—(Slightly improved)	73	
„	IV.—(Unsatisfactory)	27	
„	V.—(Incorrigible)	8	
		—	256

Subsequent progress at Portland.

First, of the above the following remained stationary.

Class I.—(Satisfactory)	56 out of 61		
„ II.—(Considerably improved) .	16 „ 87		
„ III.—(Slightly improved) . . .	10 „ 73		
„ IV.—(Unsatisfactory)	7 „ 27		
„ V.—(Incorrigible)	2 „ 8		
	— . . .		91

Second, lowered.

From Class I.	5 out of 61	
„ „ II.	2 „ 87	
„ „ III. & IV.	3 „ 100	
	— . . .	10

Third, raised.

From Classes II., III., IV., and V., to Class I. . .	155
Total . . .	256

"In July 1850, I found that of the foregoing number 204 had, by exemplary conduct and industry, rendered themselves eligible to be sent abroad with tickets of leave, 24 effective men were still at Portland, and the remaining 28 had been removed on medical grounds or had died, as shown in Colonel Jebb's Report on Portland Prison, 1850."

PUBLIC WORKS.

Public works.

As the moral result of the discipline to which convicts are now subjected during the period of their imprisonment in this country mainly depends upon the arrangements made for the men working in association on public works after a period of separate confinement, I have felt more than ordinary interest and anxiety that it should be placed on the most effective footing; and, I trust, Sir, as far as present experience extends, it may be considered to be satisfactory.

PORTLAND PRISON.

Capt. Whitty's remarks on the results of following separate confinement by associated labour.

Captain Whitty, the Governor, states his conviction, derived from close observation of the convicts at Portland, that the system of following up a period of separate confinement of sufficient duration by associated labour on the public works, preparatory to granting a ticket-of-leave, is working well both for the convicts and for the colonies. He goes on to say,—

"The subdued, improved, and disciplined state in which the convicts generally arrive at Portland, from the stage of separate confinement, appears to be an admirable preparative for their transfer

to the greater degree of freedom unavoidable on public works. Those convicts who have been for a considerable time at Portland have not usually indicated any falling off in morals or conduct, but, on the contrary, several instances have occurred in which men, on whose conduct the comparative degree of liberty here alluded to appeared to have at first an unfavourable effect, have afterwards become orderly and industrious, and content to work their way cheerfully to the prospective benefit held out to convicts of that character.

"Under the present system also they have *hope*, without which element in their treatment I am satisfied that no one else can have hope for them. They are remarkably alive and submissive to treatment guided by good faith and impartiality, and with good officers to administer the system with firmness and humanity I see no reason whatever to doubt of its successful result."

The Rev. J. Moran, the chaplain, observes,—

Chaplain's remarks on the effects of the discipline.

"The effects of the discipline have been such as may well encourage the Government, and all who are interested in the solution of the great question of convict discipline, to persevere in the course they have entered on.

"It appears to me to be clearly established, that, under certain conditions as to discipline, convicts may be employed on public works with great advantage to themselves, and with benefit to the country. In order, however, to secure these results, I consider it ESSENTIAL that the two following particulars should still continue to be regarded as integral parts of the system.

"First, it is of the greatest importance that all those men who are sent into association on public works should have previously undergone a certain period of probation in *Separate confinement*. If judiciously managed, that discipline is well calculated to deter the criminal on account of its severity, and also to lead to his reformation.

Second, That in both periods of probation strict discipline must be combined with the inculcation of sound religious and moral principles."

I fully concur in the opinions thus expressed, and believe that a steady adherence to the principle of management now established, viz. two probationary periods of penal and corrective punishment, followed by removal to a colony in a state of qualified freedom, will be calculated to mitigate many of the more serious difficulties and evils which are inseparable from the management and disposal of a large body of convicts.

Convict Labour, &c.

Convict labour at Portland.

In applying the labour of the convicts at Portland, it has been found that there has been more aptitude for the hard labour required in the quarries than could have been reason-

ably expected, from the large proportion of the prisoners having been previously unaccustomed to such work.

Many at first shrink from it, but the Governor states,—

"Seeing other prisoners generally performing the labour willingly and cheerfully, they soon fall into it themselves, and acquire a sufficient knowledge of the use of the tools and machinery to make themselves useful."

Industry of convicts at Portland.

Making due allowance for circumstances, it may be safely affirmed that continued and persevering industry for the whole period of their detention has become the rule as regards the working parties at Portland. I attribute this result no less to the encouragement to good conduct which is a prevailing feature in the management, than to the intelligence and efficiency of the officers under whom they are employed.

The completion of so great a national work as the breakwater at Portland by convict labour will show the means at the disposal of the Government for the execution of such works, and the advantage and economy of employing prisoners upon them in such a manner as, at the same time, to promote their own best interests and those of the public.

HULKS.

Discipline at the Hulks.

The discipline at the Hulks, under the able management of Mr. Voules, has been, as far as possible, assimilated to that at Portland. Though the difficulties to be contended against, so long as hulks continue in use for the confinement of convicts, are almost insuperable, still great ameliorations have been introduced. A marked effect on the conduct and demeanour of the men has been the result. There has also been a great improvement in their industry; and when additional means for the more profitable application of their labour shall be afforded, the cost of such works as they can be conveniently employed upon will be materially diminished, and the value of the work they execute will be a substantial set-off against the expense of their maintenance.

The following extracts refer to these points.

Mr. Masterman, the Governor of the "Warrior," states,—

Remarks by the Governors and Chaplains on the conduct and industry of prisoners.

"I feel great pleasure in being able to state that the labour performed by prisoners, and their industry and good conduct, have given general satisfaction to the authorities under whom they are employed in this dockyard.

"They are kept at labour in the dockyard so long as is consistent with their security, and, when on board, their time is fully occupied cleaning the wards and furniture, repairing clothes, &c.

"The classification for religious instruction made under the direction of the Chaplain has had a good effect on the prisoners generally.

"I feel gratified in being able to state that the conduct of the prisoners has been, with few exceptions, very good during the past year, and the number of offences has very much decreased."

Remarks by the Governors &c., on the conduct and industry of prisoners.

The Rev. John Dobie, Chaplain at Woolwich, states,—

"At the 'Warrior' advantage has been taken of the means of classification which exist, and I have endeavoured, with the co-operation of the Governor, to associate together those men who appeared influenced by religious considerations, desirous to act in willing obedience to the authorities, and to show, by their general good conduct, that there was indeed hope, in their case, of a growing reformation of character. With this view some classes have been formed. These classes have answered well. The men so brought together have exercised a good influence on each other, have united in religious exercises, abstained from evil conversation, been obedient to the regulations, and set an example of general improving character to all on board.

"In closing these remarks, while anxious to form only a just estimate of favourable appearances, yet I cannot omit stating my conviction that there are not a few among these prisoners who will, by the blessing of God, hereafter become honest and useful in their station."

Mr. Bennison, the Governor of the "Stirling Castle," at Portsmouth, has the following observations in his Report:—

"My last Report stated that the offences in 1849 exceeded in number, but not in enormity, those in the year 1848. The letter of the Right Hon. Sir George Grey, bearing date the 26th of November, 1849, was read to the convicts, and I hoped that I should have been enabled, for the expired year, to lay before you a very favourable report; but in April last, with a view to collect all the old hulk prisoners in one vessel, a number of convicts were sent to me, amongst whom were several bad characters: they had only been a few days on board this hulk when they induced many of the younger prisoners to join in creating some disturbance, which, however, was speedily quelled, and the ringleaders punished. This circumstance augments the number of offences for the past year, but not the number of offenders, for three of the most culpable in April have nine, ten, and eleven offences recorded against them.

"The total number of offences was 350; one only of a violent character, an attack upon an officer of the establishment; most of the others were of a trivial nature, many only requiring a reprimand. With the exception of those referred to above as received in April last, I beg to add that the prisoners from other of your establishments have conducted themselves exceedingly well, many of them in an exemplary manner."

The Rev. Geo. W. Livesay, Chaplain at Portsmouth, observes,—

"As regards the continued efficiency of the school, I have no remarks to make, beyond stating that, as the amount of good done

Remarks by the Governors, &c., on the conduct and industry of the prisoners.

to the men will always be in exact proportion to the exertions and zeal of their instructors, I have every reason to be satisfied, both with the improvement of the scholars as well as with the way in which the masters have severally performed their duties.

"The school itself has become, I think, more popular than when first established on its present basis. There are fewer of those who know nothing when they join the ship, and, to use their own words, "don't want to know anything," whilst the privilege of attending school in their turn is one which many estimate very highly, and for which they often tell me they cannot be too grateful.

"It would be an injustice to pass over without special notice the exemplary conduct of those prisoners received from prisons where they have undergone a period passed in separate confinement, more especially as showing how much the character, even of a hulk, may be raised or lowered, according to the way in which prisoners may have been previously prepared for creditably passing through the second stage of their sentence."

Mr. Barrow, the Governor of the "York," observes,—

"I have the honour to forward to you my usual annual Report, and it is with much pleasure that I am enabled to state that, with one exception, the general conduct of the prisoners, both on board and at labour, has been extremely satisfactory; the offences have not been numerous, and, with the exception of one attempt to escape and one assault, there have not been any of a grave character. For this general good conduct I must give credit to the various officers of the establishment, who, having become better acquainted with their duties, use their authority with firmness and judgment.

"Another cause of the increased good conduct of the prisoners is, undoubtedly, the punctuality with which they are sent abroad when eligible to be recommended for tickets-of-leave.

"The exception to the general good conduct, to which I alluded above, was an attempt made by some badly-disposed men who had lately joined to disturb the quiet of the ship; but as they were promptly and severely dealt with, it was rather the means of increasing good order than otherwise.

"Each year convinces me of the necessity of separating the prisoners after labour and at night: the better class are continually requesting me to place them by themselves, and prefer a separate sleeping-cell to being placed in an associated ward."

The Rev. Richard Martin, Chaplain of the "Defence," and in temporary charge of the "York," states,—

"In the Report which I have now the honour of forwarding for your information, relative to her Majesty's convict hulks 'York' and 'Defence,' I am happy in being able to speak favourably of the means used for the improvement of the prisoners, and the anxiety which they have shown to profit by them.

"The libraries established last year have been found a source of great interest and, I trust, benefit, the prisoners having availed themselves of the privilege with avidity; and though the books have been in constant use, no injury has arisen to them beyond what might reasonably be expected.

"The schools continue to be very efficiently managed, and the conduct of the schoolmasters, with one exception, has been very satisfactory. The reports from the masters of each ship speak very favourably of the conduct and attention of the prisoners, and the gratitude expressed by many of them for the means of instruction which they now enjoy, and to the previous want of which they very frequently ascribe their progress in crime. Remarks by the Governors, &c., on the conduct and industry of the prisoners.

"The value of instruction during a period of separate confinement is strikingly exhibited in the character and conduct of the men received in the hulks, and by the anxious desire and endeavour which they show, on first coming, to keep themselves free from the temptations arising from intercourse with others. My own impression is, that it is most necessary that they should, after a certain degree of training in separate confinement, be subjected to this test previously to their being sent abroad with a ticket-of-leave. They possess, indeed, the *theory* of religious principles, and fancy they have sufficient strength to carry them out; but, to be beneficial for after-life, these principles must be put to *practical* proof, and this cannot be better effected than by subjecting them to trial while under restraint, and when they possess the opportunity of looking for encouragement and instruction from their religious teachers.

"Accounts are frequently received from men who have either obtained tickets-of-leave, or free pardons, expressing their obligation to the Government for the instruction which had been provided for them during their imprisonment, and showing that industrial habits had been formed in them by their continuance in the situations which had arisen to them in their different trades; but it is also to be lamented that many are exposed to great temptations to crime abroad from evil companions.

"The Governors' Reports will show that the general conduct of the prisoners has been good, and that few crimes of any magnitude have occurred. At the same time it is painful to observe how great the disadvantages are under which the well-disposed labour, from the impossibility which exists in a ship to classify the men as much as we should desire, or to separate them, especially during the night; and the wonder is, not that there are so many, but that there are so few crimes of any consequence. This is very much to be ascribed both to the anxiety which the men themselves feel to earn good badges, and we would hope, in some at least, to the constraining influence of Divine grace and the higher motive of love to God and man, as well as to the decision, sympathy, and kindness with which the officers carry out the rules.

NEW PRISON AT PORTSMOUTH.

The new Prison, with 1000 separate sleeping-cells on the plan of Portland, now in course of construction at Portsmouth, will, when completed, obviate the necessity of occupying the Hulks in that harbour, and afford the means of introducing a more stringent, and, at the same time, a more reformatory system of discipline than can by any possibility be enforced under present circumstances. New prison at Portsmouth.

DARTMOOR PRISON.

Dartmoor prison.

The question of occupying the old war prisons on Dartmoor was brought under the consideration of Lord John Russell, when Secretary of State for the Home Department, in 1836.

At that time it was proposed to convert them into a prison for 700 juveniles, but, as the estimated expense of effecting this amounted to no less a sum than 72,659*l.*, the scheme was abandoned in favour of appropriating a portion of the Albany Barracks at Parkhurst for the purpose.

In the following year I inspected the buildings by direction of Lord John Russell, and reported that they might be advantageously occupied as a prison for adults, and would be suitable for carrying into effect long sentences of imprisonment combined with hard labour and industrial occupation on the land, or in the granite quarries. No steps were then taken for carrying out such a plan, but, in 1849, the Council of the Duchy of Cornwall, to whom the prisons had been transferred by the Admiralty, made an offer of them to the Government on terms sufficiently favourable to induce you to entertain the proposition, and I received your directions to report on the subject.

After a minute inquiry into the different conditions necessary for securing the public interests, and a careful consideration of the objects to which so extensive an establishment could be appropriated, I undertook the responsibility of submitting my opinion that the offer should be accepted.

Purpose for which Dartmoor was required.

The immediate purpose for which a portion of the buildings was urgently required was for the formation of an establishment for invalid convicts who were disqualified, from age or infirmity, for earning a livelihood in the colonies, and who, on that account, had not been deemed eligible for embarkation.

Manner in which invalids were disposed of.

This class had accumulated to the extent of about 600 or 700, with a probability of increase, and they had been, and still continue to be, confined on board the "Defence" hulk at Portsmouth, and, temporarily, in the barracks at Shorncliff.

Both these places were ill calculated for continued and lengthened periods of imprisonment, chiefly in consequence of the difficulty of providing suitable employment.

Facilities at Dartmoor for applying labour.

Dartmoor offered the greatest facilities for this purpose, from there being a considerable area which could be appropriated as a garden within the circuit of the boundary wall, and a certain extent of land round the establishment susceptible of cultivation, or on which peat for fuel could be cut.

Extension of original plan.

Although the formation of the Depôt for a certain number of invalids was the primary object in view, the facilities which

existed for converting at a moderate expense the ruinous but extensive buildings into a prison capable of accommodating a larger number of convicts were too obvious to be overlooked; and I received your instructions to consider the most convenient arrangements for taking advantage of the accommodation which might be afforded in a proportion of the buildings, assuming them to be appropriated partly to invalids, and partly to able-bodied convicts. Having subsequently received your sanction to a proposition having this object in view, it has been carried into effect in the following manner:—

One of the buildings was, in the course of the autumn of 1850, prepared for the temporary reception of a small body of convict artificers; others were fitted to receive the prison officers and a military guard.

First occupation of the buildings.

The warrant appointing the buildings to be a prison for the confinement of male offenders under sentence of transportation was issued, under your authority, on 24th October, 1850, and shortly afterwards the first party of seventy convict artificers from Millbank was sent down, and the establishment commenced under the superintendence of Mr. Morrish, the Deputy-Governor.

On the 16th of November a second party of 115 was despatched, and by the end of December considerable progress had been made in the repair of the different buildings necessary for accommodating a larger body.

Five distinct buildings are now in course of conversion. Two of them will be appropriated for 700 invalids, who will sleep in large open dormitories, in hospital beds and hammocks. Two others are being fitted up with small sleeping-cells, divided by corrugated iron partitions, on the plan of Portland, and will accommodate from 500 to 600 able-bodied convicts.

The fifth building is divided, a portion being converted into a spacious chapel, capable of holding 1200 prisoners; the remainder into kitchens, offices, &c.

Cost of accommodation.

The total cost of obtaining this accommodation for 1300 men, exclusive of houses and cottages for the officers of the prison, will not exceed from 16*l.* to 20*l.* per head.

Plans of the arrangements which have been made for these purposes are annexed in the Appendix.

There are at present nearly 500 convicts, chiefly able-bodied, engaged in the repairs and alterations of these buildings; and in September or October the works will be in a sufficiently forward state to admit of 500 invalids, now in the "Defence" hulk, and at Shorncliff and Millbank, being removed to Dartmoor. About the month of December,

buildings to contain 1300 will probably be completed. These arrangements will not, however, exhaust the capabilities of the old war prisons. There will still remain three large buildings capable of conversion, so that the establishment might, if necessary, be extended to contain 700 additional prisoners, making a total of about 2000. The expediency of such an extension would, however, mainly depend on the means that may be found for the profitable application of labour.

The expense of obtaining this additional accommodation would not probably exceed the proportionate cost of from 15*l.* to 20*l.* per head, as by far the greater proportion of the work would be executed by convict labour.

Conduct and industry of the men.

Capt. Gambier, who assumed charge, as Governor, on the 1st of February, reports that, with very few exceptions, the conduct of the men has, up to the present time, been exemplary, and they have worked as hard as any body of men could do, having executed fully as much work at their several trades as an equal number of free men could have been expected to perform, and in many instances more. In the Appendix, page 90, will be found one of the ordinary daily returns of employment, which will show how they are occupied.

PARKHURST PRISON.

Difficulty in adapting Parkhurst for its object.

Keeping in view that Parkhurst prison was established chiefly for industrial training and instruction of boys under sentence of transportation, it has been no easy task to combine elements which are not in accordance with any kind of penal discipline calculated to produce deterring effects on the population at large.

The great difficulty has been to prevent imprisonment at Parkhurst becoming an object of attraction; and so much was this to be apprehended, that it has been deemed absolutely necessary to cut off all communication between prisoners and their friends.

It has only been by narrowly watching the effect of every measure on the thoughtless, and, in some instances, desperately hardened and reckless individuals, who have been sent there, that any safe course has been made apparent. If the management became unduly strict, a spirit of obduracy was created; if relaxed, and more nearly assimilated to an industrial school, the penal features became obliterated, and another class of evils had to be encountered.

With a view to the introduction of such improvements as experience appeared to justify, several alterations in the routine

of discipline have recently received your sanction, and I trust, Sir, the effect will be to render the establishment more useful for its objects.

The chief aim has been to *extend* the time spent in industrial occupations, such as draining and trenching land, brick-making, carpentering, building, &c., and to *lessen* the school instruction. There appeared to be no doubt that the effect of too great a cultivation of the mind in secular knowledge with this class of boys, so far from promoting their interests in the colonies, would be prejudicial to them.

The alterations referred to are noticed in the following memorandum, which I submitted to you in November, 1849:—

Memorandum on proposed alterations at Parkhurst.

"The discipline now in force at Parkhurst was arranged at a time when there was a class of older boys at Millbank, and an institution at Point Puer in Van Diemen's Land, to which all who misconducted themselves were immediately sent.

"Both those means of carrying out a probationary period of discipline for juvenile offenders being abandoned, some boys will be detained at Parkhurst for longer periods than has been usual, and the standard of age will be somewhat raised.

"In order to meet these changes, and render Parkhurst a useful auxiliary in the present plan of convict management, I conceive that some changes, which I have heretofore advocated, are now imperatively called for.

"The immediate objects which I have in view are the following:—

"1st. The introduction of more labour and industrial training into the system.

"2nd. That some incentives to industry and good conduct should be placed before the boys, in a "Notice" corresponding to that at Portland.

"3rd. That badges for good conduct, industry, and attainments in school should be awarded; and that there should be a classification, based upon the badges obtained, to which certain small privileges should be accorded.

"With regard to the first point, I am decidedly of opinion that there is more school instruction, and far less labour, than is necessary or useful. I conceive that when a boy has attained a certain point in school, which has ensured him an amount of information suitable to his station in life, and such as will facilitate his future progress in learning, mere school instruction should, in a measure, give place to *labour and industrial training,* accompanied by *religious and moral instruction only.*

"I am aware that in attempting to lay down the proper proportion of these elements of training I am entering upon a subject concerning which there exists a great variety of opinion, and I am fully sensible of my incompetency to analyse or discuss the abstract question.

"In taking a practical view, however, of the objects of the Government, the class of boys at Parkhurst, their destination to, and position in, the colonies to which they may be sent with tickets-of-leave, the result of my experience is, that, when attainments in the

ordinary branches of education are pushed beyond the point which gives the boys facilities in reading and writing, and competency in arithmetic, the further cultivation of their minds in higher branches is calculated to make them undervalue the humble employments which are the only ones, generally, open to them on arrival in the colonies, and look for more refined and less laborious occupations. Hence they become discontented, and do not give that satisfaction to their masters which they might otherwise do.

"In such cases (and I believe them to be numerous) the school instruction, which has been imparted at a great cost, becomes a bar to their success, instead of promoting it.

"Secondly, there is a great want of inducement to industry; and the boys have not the same clear view of their prospects, and of the influence their conduct and industry will have on their future fate, as is now placed before the men at Pentonville and Portland.

"Thirdly, with regard to the classification, and the privileges attaching to it, I have found this principle of a gradation of punishment to work so well in the military prisons, that I have no doubt it would prove a powerful incentive to good conduct.

"I have fully communicated my views to Captain O'Brien, who, after conferring with the Governor and Chaplain on the necessary details, especially those relating to classification, has drawn up the annexed rules, which I submit for your consideration.*

"It has appeared to be an object, in connexion with these proposed changes, to be enabled to credit each prisoner with some small gratuity to be transmitted to the Governor of the colony for his future benefit. J. J."

Treatment of Juvenile Offenders generally.

With regard to discipline suitable to juvenile offenders, which at the present time is engaging much of public attention, considerable experience has been already gained of three very distinct systems, of which the following may be taken as examples :—†

Three systems of treatment for juveniles.

1st. Le Pénitentiaire des Jeunes Détenus at La Roquette, Paris, now called "La Maison Centrale d'Education Correctionnelle."

2nd. La Colonie Agricole at Mettray, near Tours.

3rd. Parkhurst Prison.

At the Maison Centrale d'Education the system of discipline is that of strict separate confinement, which until within a recent period has been even more rigidly enforced than at Pentonville.

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* See Rules, Appendix, page 66.

† A large and important establishment, styled "La Maison Pénitentiaire des Jeunes Délinquents," exists at Saint Hubert, in Belgium; another, called "Ecole Agricole de Réforme," has more recently been formed, under the direction of M. Ducpetiaux, Inspector-General of Prisons in Belgium, at Ruysselede, near Bruges; and there appears every reason to expect that the results will justify the anticipations which have been formed of it.

Colonie Agricole at Mettray.

At the Colonie Agricole at Mettray,* near Tours, the boys are divided into distinct families, of about 30 or 40 in each, under the immediate superintendence of three paid officers, each family being in a great measure independent of the others. The master, or père as he is called, and two paid assistants live and constantly associate with the boys, sharing in their amusements, and having, in the main, the same accommodations. In each family there are also two boys chosen by the rest to assist in its regulations, their duties being the same as those of the assistant masters, under whose orders they act.

Discipline at Parkhurst.

At Parkhurst there are about 138 cells, in which, as a general rule, all the boys, on their first reception, are subjected to separate confinement for an average of about four months. They are afterwards placed in the general wards, which contain from 100 to 200 each, and there they are associated in the workshops, on the land, at school instruction, and meals, but sleep in small cells or compartments. An effective inspection is maintained over the boys when in association, but the general system, with the exception of their being disposed of afterwards by transportation, very nearly approximates to that of a strict industrial school.

Agriculture and gardening leading features at Mettray and Parkhurst.

At Parkhurst, as well as at Mettray, there is a considerable quantity of land, and one great feature in the discipline and industrial training of each is agriculture and gardening: whilst at the Maison Centrale at Paris, instruction in different trades in their separate cells is the only means of employment which is resorted to.

Effect of separate confinement on juveniles.

The experience gained in this country of the physical effect of separate confinement, applied to juvenile prisoners for *lengthened periods*, is so very unfavourable, that it is not likely ever to be adopted; and if our own experience were not sufficient, the fearful mortality which occurred for many years at La Roquette at Paris would determine the question. Were it otherwise, however, it will scarcely be contended that placing boys in a condition so unnatural to their age can be conducive to the formation of habits that will fit them for a life of freedom. On all accounts, therefore, it would appear desirable that, in the main, an associated system should be resorted to for the juvenile prisoners; and Parkhurst and Mettray may, perhaps, be taken as examples of discipline, suitable, however, to very different conditions and circumstances.

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* The Colonie Agricole at Mettray was founded in 1839, through the benevolent exertions of two French gentlemen of considerable distinction and eminence—Monsieur De Metz (Conseiller de la Cour Royale) and the Vicomte de Bretignères de Courteilles.

Mettray and the Philanthropic Society's Farm School, for what adapted.

Such establishments as Mettray, and the Philanthropic Society's Farm School at Red Hill, (which is formed upon the same model,) appear to me to be admirably adapted for carrying out the enlightened views with respect to the treatment of certain classes of juvenile criminals which prevail in France and Belgium, or for assisting liberated prisoners to enter on a new course of life; but neither of them possesses those penal features which are calculated to repress crime by the fear of its consequences. They cannot, therefore, be regarded as superseding prisons, properly so called, but as a supplement to them, and as providing the means for *compulsory education* and training, with the view to the prevention of crime. They are, in fact, to the criminal poor what really good industrial schools attached to union-houses would be to the honest poor, and as such are well deserving of both public and private support.

Treatment of juvenile offenders.

The whole system hitherto pursued with respect to juvenile offenders appears to me, however, open to many serious objections, both as regards the practice of sentencing mere children to transportation, or committing them for a succession of short periods to the ordinary discipline of a prison.*

The bulk of convicts below the age of 13 or 14 are objects of pity rather than justice, and the exceptions to the general rule are the really irreclaimable and thoroughly hardened. With reference to the majority of such children, all the objects to be attained would be far more effectually secured, in the first instance, by short terms of solitary confinement, accompanied by whipping; and if that did not avail, by making suitable provision for subjecting them to a regular course of corrective and reformatory discipline for a period calculated to produce an impression on the future character of the man.

Houses of detention for juvenile prisoners.

With this view it would appear desirable to facilitate the union of counties and boroughs for the purpose of building and maintaining prisons or houses of detention expressly for juvenile prisoners under 14 or 15 years of age. In the discipline of such establishments it would be an object to retain just so much of the penal features of a prison as was not inconsistent with the industrial training and religious and moral instruction of the inmates.

* The attention of the French Government has long been directed to this point, and I have annexed, in Appendix, p. 78, some extracts from a Report of the Committee appointed to consider the subject. Mr. Gladstone, who has laboured so successfully in establishing the farm-school at Red Hill, in his translation of this document thus alludes to it in a letter addressed to Sir G. Grey:—

"The Report lately presented by M. Corne, to the National Assembly of France, from the Committee appointed to consider and report upon the treatment of juvenile delinquents in that country, appears to me so remarkable for the philosophical soundness of its views, and for its practical application to the present state of this important question among ourselves, that I would respectfully solicit your attention to the statements and recommendation of the Report, believing that your deep interest in the subject, both as a Christian and a statesman, will render needless any apology for thus intruding upon you."

If the advantages gained by a boy in being committed to such an establishment were appreciated by him, they would be so great as apparently to offer a direct inducement to commit crime for the purpose of obtaining them; and when it is considered how heavily the maintenance of a family presses on the poor, it might be anticipated that parents would even be led to encourage their children in crime. This difficulty is further increased by the consideration that it is of no use instructing criminal children unless they are in some way provided for on discharge.

The course most likely to obviate these objections is to render parents or parishes *liable for the expense of maintenance.* Under such circumstances the honest labourer, whilst exercising his discretion in the education of his children and deriving advantage from their labour, would see those who were disposed to neglect their families compelled to take care of them, or to pay others for doing so.

With reference, however, to juveniles and criminals generally, I cannot too strongly impress the vast importance, were it only in a social and economical point of view, of vigorous and systematic efforts of prevention directed against the causes of crime, so far as they may be traced to the want of moral, religious, and industrial training for pauper children. It is from this mass that the convicts who fill our prisons are in a great measure recruited.

Diet in the Convict Prisons.

Diet.

In Appendix, p. 68, I have given Tables of the diet at each of the Convict Prisons. On this point I would observe that, as regards prisoners in separate confinement, the experience gained during the experiment at Pentonville demonstrated beyond all dispute that a liberal diet, not less in amount of nutritious quality than that which appears in the established scale, is absolutely necessary to the preservation of health during long periods of separate confinement.

Bad results of a reduction in the diet at Wakefield.

The experiment of a reduction in this amount was tried at Wakefield, chiefly, I believe, with a view to economy. The result of the diminished quantity, combined with an average confinement somewhat exceeding 18 months, was very unfavourable, as exhibited in the first prisoners sent to Portland, who were received from Wakefield in a very low and depressed condition.

A sufficient diet necessary on public works.

As regards the diet of convicts employed upon public works, it being an object that they should be made to exert themselves to the utmost, it has been found essential to give them such a diet as would support their strength.

The scale now established has been determined on medical

grounds, and on experience of the prejudicial effects of a lower dietary both on the health and energy of the men.

Convict Estimates and Earnings.

Convict estimates and earnings.

In Appendix, p. 94, is a return containing an analysis of the Convict Estimates for each prison, under the different heads in which the items are arranged in the Parliamentary Estimates, from which it appears that the average expense of maintenance in the prisons for Separate confinement is taken as follows:—

Millbank	£24 19 7 per head.*
Pentonville . . .	25 9 0 „

The earnings of prisoners in these establishments have been respectively—

Millbank . .	£3600 0 0; or, 2 15 5 per head.
Pentonville .	2275 0 0; or, 3 19 11 „

—which has reduced the net expense to—

Millbank	£22 4 2 per head.
Pentonville	21 9 1 „

On Public Works the estimated cost of the convicts is as follows:—

Portland	£23 15 3 per head.*
Hulks	22 4 10 „

Value of labour performed:—

Portland .	£13,418 7 0; or, £15 19 0 per head.
Hulks . .	15,000 0 0; or, 8 6 10 „

This set-off against the total expense reduces the cost to the public as follows:—

Portland	£7 16 3 per head.
Hulks	13 18 0 „

This statement shows the importance, even in an economical point of view, of attending to the means of obtaining from convicts such an amount of labour as shall, in some measure, defray the great cost of their maintenance.

Value of convict labour at Portland.

The value of the work executed by the parties actually employed at Portland *exceeds* the entire cost of their maintenance. An average number of 499 men were employed daily on the works of the breakwater; and the ascertained value of the work executed amounted to 11,602*l.* 16*s.* 1*d.*, being at the rate of 1*s.* 10½*d.* per diem for 299 working days of 10 hours each.†

The average entire cost of each convict so employed for the year was 24*l.* 7*s.* 10*d.*, and the value of the work executed, as given above, was 28*l.* 0*s.* 7½*d.* per man.

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* These sums represent the cost of each prisoner as voted by Parliament, but the actual expenditure in most of the convict prisons has been below these amounts.

† See Return, p. 30, and separate Report on Portland Prison.

Besides work executed for the Admiralty, there were employed an average number of 64 carpenters, smiths, painters, stone-cutters, quarrymen, &c., on the completion and repair of the buildings, roads, &c., the value of whose work amounted to 1815*l.* 11*s.*, or at the rate of 1*s.* 11*d.* per day per man; making, with the value of the labour on the breakwater, a total of 13,418*l.* 7*s.* This is exclusive of those convicts employed in washing, baking, cooking, tailoring, shoemaking, &c.

At the Hulks there do not exist the same facilities for ascertaining the precise value of the labour, nor are the means so effective for applying it, but still the result is very satisfactory.

The annexed statement shows the average cost of each prisoner per annum, &c., estimated on the expenditure of Millbank, Parkhurst, Pentonville, and Portland prisons, and the Hulks, for 1849-50, contrasted with that of the prisons in England and Wales, as detailed in the Fourteenth Report of the Inspectors of Prisons, under the following heads:—

Comparison of expenditure between Government convict prisons and that of prisons in England and Wales.

	Millbank, &c. £.	s.	d.	England and Wales. £.	s.	d.
Diet	5	10	6	7	2	0¾
Clothing	2	7	4	1	4	10
Bedding	0	12	4	0	8	9
Medical comforts	0	13	6	0	4	11¾
Medicines, surgical instruments, &c.	0	5	4	0	1	8½
Fuel and light	1	2	2	0	19	5¾
Soap and scouring articles	0	3	0	0	3	11
Washing	0	3	10	0	1	6¼
Cooking	0	3	3	0	0	6¾
Books	0	2	6	0	6	9¾
Furniture and fittings	0	6	8	0	3	4½
Officers' salaries	8	7	4	9	11	1½
Sundries	0	13	9	1	4	1¾
	£20	11	6	£21	13	3¼

The discrepancy in some of the items arises partly from a difference in the mode of arranging the accounts, and partly from a difference in the periods of confinement, &c.; but, on the whole, the expenditure in the Convict Prisons does not contrast unfavourably with that in other prisons.

The following return will show the general distribution of the Convicts at Portland Prison; the nature of the work on which they are employed; and the amount of work performed in quarrying and loading stone for the breakwater, which, it will be observed, is considerable, 402 men having quarried and loaded a daily average of 1220 tons of stone, or 130 tons per hour of actual work.

Distribution of convicts, nature of employment, &c., at Portland.

RETURN of Employment of Convicts in Portland Prison for the week ending 7th June, 1851 :—

General Occupation.	Average Daily No.		Particulars of Prison Labour.	Average Daily No.
Working parties in the quarries for the breakwater	..	558*	Gardeners	6
Various prison works	53		Paving in prison-yard, quarrying, dressing stone for building school	18
Painters	4		Breaking stones, and odd jobs, within the prison walls, including men unfit for hard labour	29
Carpenters	11			
Blacksmiths	7			
Shoemakers	16			
Tailors	18			
Cooks	8			
Bakers	7			
Masons	11			
Washers	18			
	—	153		
Sick and unfit for labour	41			
School	72			
Under punishment, or in separate confinement for other reasons	5			
	—	118		
Total No. in the prison	..	829		
Time lost by bad weather.	..	8		
Reducing daily average to	..	821		53

* *Details of Labour, for the Breakwater, of* 558 *Convicts* :—

	Convicts.
Quarrying and filling waggons	402
Blacksmiths, carpenters, and sawyers	36
Forming roads and squaring stone	66
Plate-layers and attending point	20
Building carpenters' shop	22
Shifting waggons, forming roads, and other general labour	12
	558

Average quantity of stone sent daily to breakwater by 402 men (not including 786 tons ballast, nor blocks squared for ashlar work) :—

Weight 6 tons to 4 tons =	255 5-6th	701 5-6th tons.
„ 4 tons to 2 tons =	162 5-6th	
„ 2 tons to 2 cwt. =	283 1-6th	
„ below 2 cwt.	518 2-6th	„
	1220 1-6th	tons daily average; being above 131¼ tons per hour of actual work.

Return of the comparative quantities of stone sent to the breakwater in each month from January to July 1851 (the number of convicts in each month being the same) :—

	Tons.	
January	18,280	Short days.
February	22,793	
March	25,134	Long days.
April	26,249	
May	27,920	
June	28,344	
July	32,189	

J. S. WHITTY, *Governor.*

Number and Proportion of Officers employed in the Convict Prisons.

The following table shows the number and proportion of officers and servants in the various convict prisons and hulks, relatively to the number of prisoners, under four different heads, with a total percentage of the whole of the officers in the establishment:—

Statement showing the percentage of officers, &c., in the convict prisons.

PRISONS.	Total Number of Convicts.	Total Number of Officers.	Percentage.				
			Superior Officers, including Governor, Deputy Governor, and Chief Warders.	Subordinate Discipline Officers, including Principal Warders, Warders, and Assistant-Warders.*	Chaplains and Schoolmasters	Medical Department, including Infirmary Warders and Nurses.	Total Percentage on the whole of the Officers in the Establishment.†
Millbank .	1300	183	·6	8·4	1·08	·77	14·
Portland .	840	101	·36	8·6	·6	·24	12·
Pentonville	570	62	·35	5·	·87	·35	10·8
Parkhurst .	580	63	·34	5·17	1·4	·52	10·9
Hulks . .	1800	204	·66	8·6	·88	·33	11·3
Dartmoor .	500	61	·6	9·	·6	·4	12·

In the foregoing pages I have endeavoured to give a brief summary of the leading points which require notice in the convict prisons, together with some general statistics which will afford the means of comparison, especially as regards expense and earnings, number of officers employed, &c. Further particulars concerning the management and routine of discipline of each establishment will be found in the separate Reports of the Directors for 1850 required to be laid before Parliament.

I cannot, Sir, conclude a Report on the general questions which are connected with the administration of discipline in the convict prisons without expressing my obligations to Captain O'Brien and Mr. Voules, who, as Directors, have been charged with the special superintendence of the different establishments. It is to the zeal and energy with which they

* Including trade instructors.

† The officers not comprised under the foregoing heads were stewards, clerks, engineers, bakers, cooks, messengers, gate-keepers, porters, gasmen, watchmen, &c.

have discharged their important duties, and to their ready co-operation in carrying out any suggested improvements or measures for which I have received your authority, that I attribute much of any success that may have attended our united efforts to render the discipline of the convict prisons effective for its varied objects.

Disposal of convicts.

DISPOSAL OF CONVICTS WITH TICKETS-OF-LEAVE OR OTHERWISE.

I have already stated the extent of the means at the disposal of the Government for carrying into effect the two probationary periods of separate confinement and associated labour in this country.

There are, however, Three periods of probation in the system of convict management; and the third, which is to be passed under certain restrictions in a distant colony, is as essentially necessary as either of the others to the success of any comprehensive scheme.

Unless there be some satisfactory way either at home or abroad of disposing of the convicts when released from penal discipline, the expense incurred by Government in the endeavour to reform, whilst carrying into effect the sentence of the law, will, in many instances, be thrown away.

Sir James Graham remarks in his letter to the Commissioners of Pentonville, in 1842, that "the convict on whom the discipline might have produced the most salutary effect, when liberated and thrown back on society here, would still be branded as a criminal, and would have an indifferent chance of a livelihood from the profitable exercise of honest industry. His degradation and his wants would soon obliterate the good impressions he might have received, and by the force of circumstances which he could not control he would be drawn again into his former habits; he would rejoin his old companions, and renew the career of crime."

As a general rule, the removal of convicts to the colonies after the expiration of penal discipline in this country will, on these grounds, be admitted to be at least desirable; and the home and colonial interests are therefore equally involved in the satisfactory solution of this and all questions connected with the large body of men, who are annually thrown upon the hands of the Government under sentence of transportation.

The object of the discipline enforced at Pentonville and Portland, and its results, can be seen and judged of by any who are particularly interested in the subject; and altera-

tions and improvements, to meet varying circumstances, might easily be introduced. The expenditure of a certain amount of money, and a little foresight in regard to the nature of the works on which convict labour could be applied, will secure the means of extending to the whole body of convicts the same amount of punishment, and the same chance of reformation. But in providing for the subsequent disposal of convicts by removal to a colony, the same facilities do not exist, for the co-operation of the colonists themselves is in a great measure essential to success.

It is needless to recur to the difficulties which now exist, or the many complicated causes which have led to them. It may be sufficient to observe that ameliorations and changes, which might be made in a very short period at home, can only be introduced very gradually, and in a series of years, when the varied interests in a colony have to be provided for or enlisted in the promotion of a scheme.

In this view it may be worth while briefly to consider what arrangements would appear calculated to place in the hands of the Government the means of dealing as effectually with the convicts during the third probationary period with tickets-of-leave as during the first and second.

New Colonies.

Difficulties in forming a new colony.

All who have had any experience well know the great difficulties which are inseparable from the formation of a new colony. For a long period the entire energies of the first colonists, and all their resources, are directed to making provision for their own individual necessities.

It is not until these are provided for that Roads, Wharfs, Harbours, Bridges, &c., are thought of, and then the means of executing them are for many years insufficient; the tide of emigration is checked in consequence, and the progress of the colony is retarded. If, in anticipation of this, arrangements were made for extending the remoter limits of existing settlements, or giving the assistance of convict-labour in aid of private enterprise in the formation of new Colonies, the different interests concerned might be adequately provided for, and advantages secured which could scarcely be obtained by other means.

Experience of these difficulties has doubtless led to a remark which is often heard, that Convicts should be the pioneers of civilization.

As a first step to making suitable provision for the application of convict labour to such purposes, it would appear de-

sirable to have in hand an infant colony, containing within its limits the elements of future greatness, and to execute at different points, at the expense of the Government in the first instance, and afterwards out of colonial funds accruing from the sale of lands or other sources, such great works as might on competent authority be deemed to be essentially necessary.

Within a limited number of years the Government would be released from any direct expenditure or responsibility in regard to the execution of works, but the colony would be placed in such a position as to ensure *a demand for cheap labour*; and I do not hesitate again to express my conviction, "that if there be established for all convicts a sound and uniform system of discipline and industrial training in this country, for periods such as are now contemplated (averaging, perhaps, from three to three and a half years), so favourable an effect on the character of a large proportion will be produced, that, taken as a body, they will be found more valuable, in any colony *where there exists an adequate demand for labour*, than an equal number of emigrants taken indiscriminately from the large towns and country districts."

As a body, I do not believe Convicts to be morally worse than an equal number of prisoners taken from the unceasing stream of criminals who pass through the prisons of London, or any of our large towns. There are very few Convicts who are absolutely irreclaimable, and to look upon all who receive a sentence of transportation as sunk to one common level of hopeless depravity is a great mistake.

The Select Committee of the House of Commons on Prison Discipline, 1850, came to the following conclusion on this subject:—

"That the Committee concurs with some of the most experienced witnesses they have examined, in the opinion that a great majority of convicted prisoners are open to the same good motives and good impulses which influence other human beings, and therefore that a system of encouragement to good conduct and endeavours to inspire feelings of self-respect, self-reliance, and hopefulness for the future, which have been tried in some of our largest establishments, ought to be adopted, so far as it is practicable without impairing the penal and deterring character essential to any system of imprisonment."

The man who receives a sentence of from three to six months' imprisonment is not generally regarded as a dangerous and irreclaimable character; and yet so great is the inequality of the sentences passed in different courts that it not unfrequently happens that a crime which would in one place be

considered deserving of only a few months' imprisonment in another is visited by transportation.

Advantage of Convict Labour in a New Colony.

With regard to the advantages which may be derived in the establishment of any colony by convict labour, however imperfectly it may have been applied in former times, Sir W. Denison thus adverts to the subject in a despatch to Earl Grey, dated 15th November, 1848:—

Sir W. Denison's remarks on the advantage of convict labour in a new colony.

"Having thus disposed of the report, I will attempt to bring before your Lordship such a statement of the advantages which the colony has derived from the presence of the convicts, as well as the disadvantages under which the colonists are now labouring from the same cause, as will afford sufficient *data* for some positive conclusion as to the amount to be contributed from the British Treasury towards the revenue, in order that this long-agitated question may be at once set at rest by a positive declaration on the part of Her Majesty's Government. First, then, with regard to the advantages which the colony has derived, and does derive, from the presence of the convicts. On comparing the aspect of this colony, whose existence dates back only about forty-five years, with that of colonies of far older date, settled under different circumstances, we are at once struck with the appearance of wealth and prosperity which is manifested everywhere. The houses in the towns are well built of stone or brick; the streets are well kept; the roads are remarkably good; the wharfs and public buildings show evidence of a large outlay of labour. In the country districts the houses of the settlers are well built, the inns and houses of public entertainment are large and commodious: in fact, there is a general aspect of ease and affluence throughout the length and breadth of the land. If inquiry be made as to the original condition of the persons who have been able to sink so much capital in buildings, &c., which yield no return, it will be found that in very few instances did these bring any amount of capital into the country. The whole of this has been the product of the labour—of whom? Of the convicts. Without the cheap labour so freely and lavishly furnished, Van Diemen's Land would now have been in a state of poverty approximating to Western Australia, instead of exhibiting those indications of wealth and prosperity which are evidenced by an import and export trade amounting to upwards of 1,200,000*l.* per annum, and which is daily increasing and assuming a more healthy and substantial appearance. This is the result of the convict system in past years. What is the case at present? There are all together about 24,000 convicts in the colony, of whom about 7000 are in the hands of the Government; the remaining 17,000 compose about three-fourths of the working-class; the whole of which, by the census, would appear to amount to about 24,000. The presence of these convicts, who supply the labour-market at a cheap rate, keeps down the price in Van Diemen's Land, as compared with New South Wales and South Australia. Here the ordinary wages of labour vary from 9*l.* to 12*l.* per annum. In

those colonies they range from 18*l.* to 24*l.*; and the same proportion, or nearly so, holds good in the wages of mechanics and artisans. It may, therefore, be fairly said that a saving of 9*l.* per annum, on an average, is made in the wages of every one of the working class in this colony; and as this class contains, as before stated, 24,000 individuals, the saving to the employers of labour amounts all together to 216,000*l.*"

Whatever may have been the evils which have accompanied these evident advantages, I think they may be fairly stated to have been the result of circumstances the recurrence of which need not be anticipated; and it would appear that Van Diemen's Land has passed through an ordeal that, with the experience now obtained, may be averted for the future.

Effect on a colony of convict and cheap labour.

A colony having in the first instance profited, in the development of its resources, by *Convict labour*, and subsequently by a supply of *cheap labour*, at a period when there was not sufficient prosperity or capital to induce emigration on a sufficiently extensive scale, would probably reach a state when the further reception of convicts in any form would be opposed, as it has been in New South Wales, and more recently to some extent in Van Diemen's Land. This, however, tends rather to show the importance of making timely provision for such a contingency than the difficulty or impracticability of doing so.

The measures recently adopted by Earl Grey, first in meeting the demand for cheap labour at Moreton Bay, and subsequently in affording the colony of Western Australia the benefit of convict-labour in the execution of public works at the expense of the Government, are a practical illustration of the principle. If there were reason for doubt, experience will probably show that, when the circumstances of a colony are such as to require the advantage of Government expenditure and assistance in labour, its prospects and progress will be essentially promoted in their being afforded.

Moreton Bay.

Moreton Bay.

The following copy of a Despatch from Sir Charles A. FitzRoy, and enclosures, will give some particulars concerning the demand for labour which exists in the district of Moreton Bay, &c.:—

My Lord, Government House, Sydney, April 30, 1850.

I have the honour to transmit two petitions addressed to your Lordship from the northern part of this colony, praying for the continuance of transportation.

2. One of these petitions is signed by many "stockholders and

employers of labour in the district of Darling Downs," and was agreed to at a meeting held at the township of Warwick in that district on the 2nd of January last.

3. The other is from the "stockholders and employers of labour" who have signed it in the districts of Moreton Bay, Wide Bay, and Burnett River.

4. The prayer of both is that your Lordship will cause to be sent out "annually such number of exiles holding tickets-of-leave as may seem expedient,"—feeling assured that from 1000 to 1500 would be employed in those districts.

5. It is right that I should state, that the first of these petitions was forwarded to me immediately before the receipt of your Lordship's Despatches announcing that no more convicts should be sent to this colony; and being now in possession of that information, it does not seem necessary that I should do more than forward them according to the desire of the petitioners.

I have, &c.

(Signed) CHAS. A. FITZROY.

The Right Hon. Earl Grey.

Enclosure 1.

At a Meeting held at Warwick on the 2nd of January, 1850, for the purpose of petitioning the Right Honourable the Secretary of State for the Colonies to send Exiles to Moreton Bay;

Patrick Leslie, Esq., J. P., in the Chair;

The following resolutions were unanimously agreed upon:—

First, proposed by St. George R. Gore, Esq., J.P., and seconded by Magnus M'Leod, Esq., J.P.,—

That this meeting is unanimously of opinion that the continuation of transportation to Moreton Bay, in the manner proposed by the Right Hon. the Secretary of State for the Colonies, is essentially necessary to the welfare of this portion of the colony, and the continuation of the graziers' avocations.

Second, proposed by David Forbes, Esq., J.P., and seconded by William Leith Hay, Esq., J.P.,—

That this meeting is of opinion that the transportaion of probationary exiles to Moreton Bay will in no way interfere with the stream of emigration which may be directed to this portion of the colony.

The adoption of the following memorial was proposed by George F. Leslie, Esq., J.P., and carried *nem. con.*

Enclosure 2.

To the Right Honourable Earl Grey, Secretary of State for the Colonies.

The humble Petition of the undersigned Stockholders and Employers of Labour in the District of Darling Downs,

Respectfully showeth,

That your petitioners are at present suffering great inconvenience and loss from the want of labour, and, as they see little or no prospect of a sufficient number of emigrants being sent to this portion of the colony, respectfully beg that exiles holding tickets-of-leave may be sent to Moreton Bay; and your petitioners have less hesitation in making this request, being satisfied with the conduct of the exiles who have already arrived in this district.

That your petitioners, seeing by the public prints that a meeting has been held at Brisbane for the purpose of requesting your Lordship to discontinue sending exiles to Moreton Bay, are induced to call your Lordship's attention to the fact that some of the speakers at that meeting, as well as a great number of those signing the memorial, are newly arrived immigrants, who have had little experience of the colony, and none of prisoner or ticket-of-leave servants, and who, from interested motives, feel a disinclination to receive men who will compete with them in the labour-market.

That your petitioners, with the wish to enable your Lordship to judge of the class they represent, have adopted the novel method of adding to their signatures the amount of stock depastured by them, with the number of servants employed on their respective establishments, being well aware that memorials are frequently signed by persons representing no property whatever.

That your petitioners do not apprehend any diminution of emigration to Moreton Bay on account of exiles being sent to that port, as it is certain that, in the event of your Lordship acceding to the prayer of your Moreton Bay memorialists, the importation of Chinese and Coolie labour (more objectionable than that of English prisoners), which has already been carried on to a considerable extent, will be almost indefinitely increased.

That your petitioners beg to call your Lordship's attention to the fact that several of your Moreton Bay memorialists have not only been importers of Chinese labour, but are employors of lately arrived exiles.

That your petitioners do not agree in opinion with your Moreton Bay memorialists that a large increase in the military and police establishments will be required in the event of exiles being sent to this part of the colony, it being well known that many prisoners of the Crown in former days, who committed depredations and absconded from their assigned service, were driven to such courses by extreme oppression on the part of their masters, whereas the exiles now sent enjoy so many of the privileges of freemen as to render such oppression impossible.

While your petitioners therefore deprecate in the strongest manner the resumption of transportation on the old assignment system, they respectfully urge on your Lordship the necessity of supplying annually such numbers of exiles holding tickets-of-leave as may seem expedient, feeling assured that from 1000 to 1500 would be employed in these districts, and by none more readily than your Lordship's memorialists from Moreton Bay.

And your petitioners will, as in duty bound, ever pray.

The above petition was signed by 52 residents, proprietors of 173,000 sheep, 33,000 cattle, 1600 horses, and employing upwards of 800 men.

Enclosure 3.

To the Right Honourable Earl Grey, Secretary of State for the Colonies.

The humble Petition of the undersigned Stockholders and Employers of Labour, in the district of Moreton Bay, Wide Bay, and the Burnett River,

Respectfully showeth,

That your petitioners are at present suffering great inconvenience and loss from the *want of labour;* and as they see little or no prospect of a sufficient number of emigrants being sent to this portion of the colony, respectfully beg that the "exiles," holders of tickets-of-leave, may be sent to Moreton Bay, with such proportion of emigrants as Her Majesty's Government may see fit; and your petitioners have less hesitation in making this request, being satisfied with the conduct of the exiles who have already arrived in this district.

That your petitioners, seeing by the public prints that a meeting has been held at Brisbane for the purpose of requesting your Lordship to discontinue sending exiles to Moreton Bay, are induced to call your Lordship's attention to the fact that some of the speakers at that meeting, as well as a great number of those signing the memorial, are *newly arrived immigrants*, who have had little experience of the colony, and none of the prisoner or ticket-of-leave servants, and who, from interested motives, feel a disinclination to receive men who will compete with themselves in the labour-market.

That your petitioners, with the wish to enable your Lordship to judge of the class they represent, have adopted the novel method of adding to their signatures the amount of stock depastured by them, with the number of servants employed on their respective establishments, being well aware that memorials are frequently signed by persons representing no property whatever.

That your petitioners do not apprehend any diminution of unassisted emigration to Moreton Bay on account of exiles being sent to that port, as it is certain that, in the event of your Lordship acceding to the prayer of your Brisbane memorialists, the importation of Chinese and Coolie labour (still more objectionable than that of English prisoners), which has already been carried on to a considerable extent, will be almost indefinitely increased.

That your petitioners beg to call your Lordship's attention to the fact that several of your Brisbane memorialists have not only been importers of Chinese labour, but are employers of lately arrived exiles.

That your petitioners do not agree in opinion with your Brisbane memorialists that a large increase in the military and police establishments will be required in the event of exiles being sent to this part of the colony, it being well known that many prisoners of the Crown (in former days), who committed depredations or absconded from their assigned service, were driven to such courses by extreme oppression on the part of their masters, whereas the exiles now sent enjoy so many of the privileges of freemen as to render such oppression impossible.

While your petitioners, therefore, deprecate in the strongest manner the resumption of transportation on the old assignment system, they respectfully urge on your Lordship the necessity of supplying annually such number of exiles holding tickets-of-leave as may seem expedient, feeling assured that from 1000 to 1500 would be employed in these districts, and by none more readily than your Lordship's memorialists from Brisbane.

And your petitioners, as in duty bound, will ever pray.

The following extracts from the Report of the principal Superintendent of Convicts, referring to the arrival of 292 ticket-of-leave holders by the "Bangalore" at Moreton Bay, in April, 1850, show that there was a great demand for their services:—

"I inspected such portions of the ship as were occupied by the prisoners, which I found in all respects to be both clean and wholesome; the men themselves presented a very orderly and creditable appearance, fully bearing out the very excellent character given of them by the surgeon-superintendent, and with whose treatment during the voyage they expressed themselves perfectly contented. One remarkable fact is worthy of notice—that not a single punishment of any prisoner occurred since their embarkation.

"After the muster and personal description of the men were completed, persons were permitted to visit the ship, but only under a written order from the police magistrate, and in eight days from that period the whole number was engaged, with the exception of three, who, by the concurrence of Captain

Wickham, were landed at Brisbane and received into barracks; two of these men are clerks and the other a Jew, and were expected to be specially applied for.

"The wages obtained by the labouring portion of the men ranged from 13*l.* to 16*l.* a-year, and to mechanics and domestic servants was given from 18*l.* to 30*l.* per annum, in each case with the usual rations. The readiness with which these men were applied for, and from various sources of information derived in the district, it is evident that there is still a great demand for this description of labour in the surrounding districts of Moreton Bay; and I am fully persuaded that, had another vessel arrived with the 'Bangalore,' having on board the same number of men, they would have been eagerly sought for, and speedily disposed of. I may perhaps be permitted to remark, in support of my opinion, that one agent alone at Brisbane had instructions from various persons to obtain 180 men, but of course was not successful in hiring so large a proportion from one vessel.

"In conclusion, I consider it my duty to make you aware of the obligation I am under to the police magistrate at Moreton Bay, to the surgeon-superintendent of the 'Bangalore,' as well as to the master and officers of that vessel, for their kind co-operation with me on all occasions in carrying out the public duty with which I had the honour to be intrusted."

I would observe that the whole of these men were from the hulks. Dr. Jones, the Surgeon Superintendent, reporting on their conduct during the voyage, states,—

"No corporal punishment took place, no irons were used, and not even the stoppage of a ration as a punishment. The black box remained tenantless on the quarter-deck, and was merely allowed to remain there as a terror to some of the children belonging to the pensioner guard."

As regards the behaviour of the large body of "Exiles" who were landed in the South Australian colonies in 1849, the following is a return of those who had forfeited their ticket-of-leave for misconduct up to the 10th June, 1850:*—

RETURN of CONVICTS lately arrived whose Tickets-of-leave have been Cancelled for Misconduct since their Arrival.

Ship.	Date of Arrival.	Number of Convicts.	Offences.				
			Rape.	Larceny.	Assault or Felony.	Breach of Discipline.	Grand Total.
Hashemy . . .	8 June, 1849 .	212	..	1	..	5	6
Randolph . . .	20 Aug. ,, .	296	1	1	2	15	19
Mount Stuart Elphinstone . .	3 Oct. ,, .	225	..	2	2	1	5
Havering . . .	8 Nov. ,, .	334	..	..	..	5	5
Adelaide . . .	24 Dec. ,, .	259	..	1	..	4	5
Bangalore . . .	30 April, 1850 .	292	..	..	..	..	..
		1,618	1	5	4	30	40

Principal Superintendent of Convicts' Office, Sydney, 10th June, 1850. (Signed) J. M'LEAN.

* See also return of the Embarkations for 1847, 1848, and 1849, Appendix, p. 74.

It will be seen that, of the total number, 1326 arrived between the 8th June, 1849, and 24th December following, and that only 5 cases of larceny and 4 of assault or felony are reported to have been brought under notice. There had been 30 cases of breaches of discipline, of which 15 had occurred among 296 men from the "Randoph," and only an equal number among 1030 who had arrived in other ships.

It is not difficult to understand that every association connected with convicts may have become repugnant to the feelings of many of the colonists; but, if all circumstances be fairly and impartially considered, I think it will be admitted that these men, although not subject to the salutary restrictions of a ticket-of-leave, have justified the expectations that were formed that they would make determined efforts to keep clear of their former courses, and endeavour to earn an honest livelihood, if an opportunity should be afforded them.

Western Australia.

The experiment of affording the assistance of convict labour, so far as it has been tried in Western Australia, appears to have been attended with success.

The following copy of a Despatch from Governor Fitzgerald, and enclosures containing the resolutions passed at a public meeting held at Perth, Western Australia, in July, 1850, will give some particulars concerning the feeling of the inhabitants generally, and the prospects of employment for ticket-of-leave holders in that colony:—

My Lord, Government House, Perth, July 17, 1850.

I have great pleasure in transmitting certain resolutions passed at a public meeting held in Perth on the 10th of July last, in consequence of a requisition addressed to the sheriff for that purpose.

2. This meeting, my Lord, was most numerously and respectably attended, and singularly distinguished by the harmony and unanimity that prevailed, all in expression of gratitude to your Lordship for the deep sympathy you have shown to this province under its difficulties, and the promptitude with which you have met the wishes of the community by sending a Government convict establishment to this colony, which will, in the first instance, be employed on the public works in the further development of its resources, and afterwards prove a valuable accession to our labour-market.

3. The memorial also transmitted from the inhabitants of York, Northam, and Toodgay is equally distinguished by language expressive of gratitude to your Lordship for the boon conferred, but asking for proportionate military protection as well as pensioners.

4. I have also the honour of transmitting certain resolutions from the inhabitants of the extensive district of Wellington, which are

equally complimentary to your Lordship for the kind consideration shown in the means adopted for extricating this settlement from its present difficulties.

5. The colonists, in the memorial and resolutions forwarded, unite in expressing their opinion that the permanency and magnitude of the Convict Establishment is necessary to secure to this settlement the prosperity so confidently expected by this measure.

I have, &c.,

The Right Hon. Earl Grey. (Signed) C. FITZGERALD.

Enclosure 1.

PUBLIC MEETING.—*Perth, July* 10, 1850.

AT a Public Meeting held at the Court-house, Perth, on Wednesday, 10th July, 1850, in pursuance of a requisition bearing date 9th June, G. F. STONE, Esq., High Sheriff, in the chair, the following Resolutions were unanimously carried:—

Proposed by Mr. M. CLIFTON, and seconded by Mr. PEEL—

That this meeting are desirous of expressing, in the warmest terms, their sense of the ready acquiescence of Her Majesty's Government at home with the prayer of the Petition for the transportation of convicts to this colony, for employment on public works; and of offering to Earl Grey, Her Majesty's Principal Secretary of State for the Colonies, their grateful acknowledgments for the promptitude with which he has commenced the system of sending out the first draft of convicts, with the accompanying staff, under the control of an officer so well qualified to carry it into beneficial operation as Captain Henderson.

Proposed by Mr. BURGES (for Mr. SAMSON), and seconded by Mr. HELMS,—

That this meeting, while they thus most thankfully receive the boon conferred on the colony by this measure of Her Majesty's Government, and do not in any manner wish to impose on it any conditions, feel it, nevertheless, necessary to express their opinion that the objects for which the colonists prayed for the introduction of convicts would not be fully attained if their numbers were limited to a small extent, and any doubt existed of the permanency of the system of transporting convicts hither: and therefore this meeting desire to make known this their opinion to Earl Grey, with their earnest request that all the establishments may be formed upon a scale calculated to receive large bodies of prisoners; and that Her Majesty's Government will continue, by degrees, to send out, on the system explained in Mr. Hawes's letter of the 24th December, 1849, to the Manager of the Colonization Assurance Company, such numbers as may be commensurate with the works which are necessary for the improvement of the colony, and to develop and render available its resources and capabilities.

Proposed by Mr. G. SHENTON, and seconded by Mr. HAMERSLEY,—

That this meeting are desirous further of recording their gratitude to Her Majesty's Government for uniting with the transportation of convicts of deserving character the transmission to this colony of pensioners and other free emigrants; being satisfied that in proportion as labour is abundant, capital and *bonâ fide* settlers will be attracted to the colony, and its general prosperity advanced. But, while animated with these sentiments, this meeting cannot refrain from expressing their opinion that disappointment and distress could alone await the greater part of the persons thus brought to the colony, unless the permanency as well as the magnitude of the Convict Establishment be secured.

Proposed by Mr. C. Wittenoon and seconded by Mr. Thos. Brown,—

That the High Sheriff be requested to sign these resolutions on behalf of the meeting, and to present the same to the Governor, with their respectful request that His Excellency will be pleased to transmit the same without loss of time to Earl Grey.

Proposed by Mr. Croft, and seconded by Mr. Habgood,—

That the cordial thanks of this meeting be given to the High Sheriff for having convoked it, and for his able conduct in the chair.

Signed at the request and on the behalf of the Meeting,

Geo. Fred. Stone, Sheriff and Chairman.

Enclosure 2.

To the Right Honourable Earl Grey, Her Majesty's Principal Secretary of State for the Colonies.

The Memorial of the Undersigned, Landowners, Stockholders, and Landholders, in the Districts of York, Northam, and Toodgay,

Humbly Showeth,

That your Memorialists, deeply sensible of the great boon conferred on them in the hour of their distress, and when nearly at their last extremity, by your Lordship's kindly acceding to their request in making this colony a penal settlement, and forwarding the first convict ship "Scindian," just arrived, beg to return your Lordship their most grateful thanks, and to assure your Lordship that they consider the introduction of convicts on a large scale the only means of placing the colony in a prosperous condition, as it will enable your Memorialists to render available its many natural productions, which hitherto, from the very great scarcity and high price of labour, and the want of good roads, have never been turned to advantage.

Your Memorialists therefore earnestly request that your Lordship will be pleased to continue their introduction here as speedily as circumstances will permit, accompanied with a proportion of free labour, and sufficient protection in the shape of troops and pensioners.

Your Memorialists most respectfully express to your Lordship their entire concurrence in the system of management of the convicts after their arrival in the colony, as mentioned in your Lordship's letter to the Manager of the Colonization Assurance Company, bearing date 20th December, 1849, as they consider that the indulgence proposed to be granted to prisoners for good conduct will operate as a powerful preventive to crime, particularly bush-ranging; but a man deprived of one ray of hope of ameliorating his condition by good conduct is generally driven to desperation; and moreover, such an accession to the labouring population of the colony will be of the most essential service, as it will enable the settlers to grow sufficient corn for the support of the increased population instead of being dependent on the neighbouring colonies.

Your Memorialists can now look forward with cheering hopes to the future, as they are confident that a large penal establishment under the energetic and wise policy of our present governor, Captain Fitzgerald, R.N., will place this settlement in a few years in that position among the Australian colonies which its numerous natural advantages have long entitled it to.

And your Memorialists as in duty bound will ever pray.

(One hundred and thirteen signatures.)

Enclosure 3.

At a meeting of the inhabitants of the district of Wellington, held at Bunbury on the 22nd June, 1850, in pursuance of a requisition addressed to the Resident Magistrate,—

George Eliot, Esq., in the Chair,—

The following Resolutions were adopted:—

1st. Proposed by M. W. Clifton, Esq.; seconded by Denzil Onslow, Esq.—

That this meeting, being deeply impressed with the conviction that this colony would never make any substantial progress without compulsory labour, to be employed upon such public works as are beyond the means of the colonists, are desirous of recording their sense of the ready attention shown by Her Majesty's Government at home to the prayer of the petition for the transportation hither of convicted persons for employment on such works, and of expressing their grateful thanks to Earl Grey for the promptitude with which his Lordship has commenced the system as soon as Western Australia had been declared a penal settlement by Her Majesty, from which measure they anticipate the most beneficial and prosperous results to the interests of the colony.

2nd. Proposed by James Knight, Esq.; seconded by J. W. Sillifant, Esq.—

That this meeting, being further of opinion that the objects for which the colonists prayed for the introduction of convicts can never be fully carried out unless large bodies of such persons be by degrees, and from time to time, introduced, are desirous of making known this their opinion to Earl Grey, with their request that his Lordship will form all the convict establishments on a scale calculated for the permanency of the system of introducing convicts in large numbers, and commensurate with the works which are necessary to develop and render available the resources of this colony, and that he will continue to send them out accordingly.

3rd. Proposed by H. J. Sillifant, Esq.; seconded by Mr. Wm. King,—

That this meeting, being further of opinion that it can never be expected that Her Majesty's Government, after defraying out of the British Treasury the conveyance of convicts to this colony, and the expense of maintaining and employing them in it for the good of the colonists, should incur the further expense of removing the convicts after the expiration of their sentences to other parts, as unfortunately advocated by the "Inquirer" newspaper; and this meeting being also further of opinion that any measure of that nature, if adopted, would be highly unjust and cruel towards such convicts, inasmuch as it would be depriving them of free agency after they had paid the penalty of their crimes, and thus prolonging their punishment beyond what the law had intended, are desirous of recording their sentiments on this point likewise, and that they thankfully receive the boon intended to be conferred on the colony without wishing to impose any conditions so unreasonable in their nature both to the mother country and to the convicts.

4th. Proposed by M. W. Clifton, Esq.; seconded by J. W. Sillifant, Esq.—

That this meeting, although not at present in possession of sufficient information to enable them to express any decided opinion on the general question of the assignment of convicts, are nevertheless of opinion that the arrangement intended by Earl Grey, as detailed in Mr. Hawes' letter, whereby prisoners who have conducted themselves with great propriety during their sentence prior to their arrival in this colony, and continue so to conduct themselves for

nine months subsequently, should then be discharged conditionally to find employment for themselves in the colony, is reasonable and just, and, as far as this meeting can foresee, not likely to be attended with evil consequences.

5th. Proposed by Mr. Wm. King; seconded by H. J. Sillifant, Esq.—

That this meeting also feel the deepest gratitude to Her Majesty's Government at home for coupling with the transportation of convicts to this colony the transmission of pensioners, their wives and children, and other free immigrants, being satisfied that, in proportion as labour is abundant and cheap, capital and *bonâ fide* settlers will be attracted to the colony, and the settlers already here be enabled to carry out their operations with success and prosperity; but while grateful for the boon of free immigrants, this meeting consider that nothing but disappointment and misery could await such persons unless the permanency as well as the magnitude and extent of the convict establishment be secured to us.

6th. Proposed by Mr. Edward Hester; seconded by Mr. C. Ommanny,—

That this meeting, wishing that these their sentiments should be made known at the meeting to be held at Perth on the 10th proximo, hereby depute Marshal Waller Clifton, Esq., to represent them at the said meeting accordingly, and to express these their sentiments and opinions.

7th. Proposed by H. J. Sillifant, Esq.; seconded by J. W. Sillifant, Esq.—

That this meeting request that their chairman, George Eliot, Esq., should transmit a copy of these resolutions to the Colonial Secretary, to be laid before his Excellency the Governor, with the respectful request of this meeting that his Excellency will be pleased to forward the same to Earl Grey as the address of the inhabitants of this district.

8th. Proposed by M. W. Clifton, Esq.; seconded by Thomas Little, Esq.—

That the cordial thanks of this meeting be given to George Eliot, Esq., for having convened this meeting, and for his able conduct in the chair.

Signed, for and on behalf of the meeting, by

George Eliot, Chairman.

Convict ships to Western Australia.

The "Scindian" sailed with 75 convicts in February, 1850, and was followed by the "Hashemy" in July, with 100 more, all from Portland. The whole body was placed under the immediate superintendence of Captain Henderson, R.E., who was appointed by Earl Grey to the office of Comptroller-General in Western Australia.

The arrival of these men, and the consequent expenditure by the Government, has given new life to a colony which for years had been struggling on in difficulty, and almost in despair; and there appears every reason to expect that the most substantial advantages will be the result of the measure. It is thus alluded to in a Despatch from the Governor of Western Australia to Earl Grey, dated 5th February, 1851:—

"It is now but little more than six months since the arrival of the first draft of 75 convicts, per 'Scindian,' and little more than three

months since that per 'Hashemy,' of 100 men; yet with this amount of labour has the Comptroller-General been enabled to prepare prison reception for between 480 and 500 prisoners. * * * Too much credit cannot be given to Captain Henderson for the promptitude and economy with which the whole has been completed, under difficulties of no common kind.

"I am happy to state the conduct of the men has been good beyond my most sanguine expectations. Save three silly attempts at desertion (two from a small road-party, and one from the depôt), I have heard of no offence to the close of the year 1850 other than minor ones for breaches of discipline; and that only in twenty-three instances, during a period of six months, and under circumstances of considerable temptation, from the nature and description of the prison enclosure (which scarcely deserved such an appellation), more especially on their first landing after a long voyage. I cannot therefore but call your Lordship's attention to this state of things, as proof of the judicious management and watchful care of the Comptroller-General and his officers, in thus preserving discipline and good order under such peculiarly trying circumstances.

"The accounts of the few men already discharged with tickets-of-leave are equally satisfactory."

Captain Henderson, referring to the ticket-of-leave holders, observes,—

Capt. Henderson's remark on ticket-of-leave holders.

"I have much pleasure in stating that in almost every instance I have received from their employers most satisfactory accounts of them, and, in many cases, the assurance that they are the best servants they ever had."

The Chaplain of the Convict Establishment states as follows:

The Chaplain's observations on ticket-of-leave holders.

"With respect to the moral and religious condition of the prisoners, I must confess that when entering on the duties of my office as chaplain of the establishment I had many misgivings, arising from the generally-received impression amongst those not conversant with the facts, of the recklessness and abandoned character of those amongst whom my future efforts in 'the ministry of the Word' were to be exerted.

"The prospects of those who have already gone out on tickets-of leave were such as fully to meet their own approval. The men appear, with proper feelings, to appreciate the boon a ticket-of-leave confers, and seem glad to enter on a life of industry, having promise of due remuneration, such as this country now offers.

"I do, however, with gratitude to God, and with thankfulness to those whose ministerial care preceded mine, express my unlooked-for gratification in this respect, and the satisfaction afforded me by the high degree of scriptural knowledge and moral attainment of many of the convicts now forming our infant settlement.

"It is but due to those through whose instruction they have passed that I should bear testimony to the soundness of the religious teaching imparted to them.

"That all have not equally benefited by the instruction given is neither more nor less than might be expected: our duty is to 'sow

the seed,' leaving it to God to give the increase, to impart the blessing.

"I cannot conclude this head without observing that of a 'good few' of those now here I have high hopes: of the majority I fondly entertain good thoughts, and look for good things.

"I write the more fully on this head, because of the comparative liberty enjoyed by the prisoners here, which, were they so disposed, would afford opportunity of manifesting remaining depravity, which, I am happy to say, does not show itself in any material degree."

The conduct of the men is further noticed in a Despatch from Governor Fitzgerald, dated 25th July, 1850:—

"Your Lordship will peruse, I feel assured, with much satisfaction, that part of the Comptroller-General's Report alluding to the good conduct of the men, not one complaint, not even the slightest breach of discipline, having occurred among them since their disembarkation: can more be said of the best regulated crew of a man-of-war, or the most orderly regiment in the service?"

And Captain Henderson, R.E., Comptroller-General, also states, with reference to the demand for labour, as follows:—

"The labour market of the colony is now in a very depressed state, owing to the exhaustion of its available capital, the want of confidence, the want of a market, and the want of labour.

"It is to be hoped that the impetus given to the colony by the introduction of a permanent convict establishment will satisfy all these; that impetus has already been sensibly felt, but it is most evident that the progress of the colony towards prosperity must be, to a certain extent, gradual."

The following is an extract from a letter from the Governor of Western Australia to Earl Grey, dated as late as May 7, 1851:—

"My Lord,

"I have the honour to acknowlege the receipt of your letter, marked 'private,' dated the 23rd of December.

"At present all is going on in the most satisfactory manner; no ticket-of-leave men on hand, and all of them behaving well. We are anxiously expecting the "Mermaid,"* and are quite prepared for the reception of her freight.

"I shall not forget your Lordship's views with reference to the amount of military force. I have reason to think that, now the prisoners are found to conduct themselves in so orderly a manner, and that the prison is enclosed, coupled with the establishment of a water police force, all former misgivings will disappear, the more especially when the measures contemplated by your Lordship, of allowing one party of pensioners to be in barracks until relieved by another draft, are being acted upon.

"I have, &c.

(Signed) "Charles Fitzgerald."

* The "Mermaid" sailed in December, 1850, with 209 convicts from Pentonville, Portland, and Parkhurst prisons, and the "Justitia" hulk.

Description of the convicts sent out in the "Pyrenees."

Another ship, the "Pyrenees," sailed in March last with 295 prisoners, destined to be employed on the improvement of the harbour and other works in the neighbourhood of the capital. These men had all been subjected to separate confinement, had served a proportion of their time on public works in this country, and were selected as being well qualified for such duties. An additional number with tickets-of-leave will sail about the middle of July; and with a view to the more advantageous application of the labour of so large a body, arrangements have been made for sending out three officers of Engineers with a company of the Royal Sappers and Miners.

With this assistance the difficulties which might have attended the execution of works at a distance from the seat of Government will be overcome, and great facilities will thus be afforded for developing the latent resources which are said to exist in the colony.

Concluding Remarks on the General System of Convict Discipline.

System now in force.

As before stated, the system now in force consists of three probationary periods of discipline, viz.:—

1st. Twelve months' separate confinement.

2nd. Labour in association on public works.

3rd. A ticket-of-leave in one of the colonies.

Pentonville and Portland Prisons may be taken as examples of the first and second periods of probation. The third is a revocable pardon, and the holder of it is subject to many restrictions.

With reference to the general system, I would observe that no uniform punishment that was ever devised would provide for all cases. Its very uniformity would be ill adapted to meet the infinite variety of circumstances that arise, and prove the greatest source of its unequal pressure upon the different subjects on which it would be brought to bear.

If separate confinement be considered a privilege, or be disregarded, by an educated criminal, the labour of quarrying on the heights of Portland or Dartmoor would wear a very forbidding aspect; and the further prospect of being compelled to engage and work for wages in a distant colony, under many restrictions, would be even more distasteful.

The majority of convicts, however, dread separate confine-

ment. Of these a large proportion do not feel any distaste for labour on public works; they are willing and industrious, but the hearts of many of them sink under the prospect of transportation. It may be said, generally, that two stages out of the three are regarded with more or less of dread by all, and will have more or less of a deterring influence on individuals, and through their representations and the force of example on the criminal population generally.

Difference of opinion regarding these measures.

With reference to these several periods of probationary discipline, it may be desirable to notice two points of some importance on which there exists a difference of opinion amongst many who are deeply interested in the success of the measures adopted by the Government for the management and disposal of convicts. I allude particularly to the practice of following up a period of imprisonment in separation by association on public works, and the different questions connected with it.

It is considered that, if a period of strict separation at Pentonville, or elsewhere, were followed by embarkation direct to a colony, and prisoners were then released with tickets-of-leave, the result would be more favourable than under the present system of subjecting a prisoner to a second probationary period in association, as at Portland. On the other hand, it is believed that, as a compensation for risking the loss of moral advantages in the case of some individuals, association affords the means of strengthening any such advantages with others, and of generally preparing the men, *whilst under control*, for the temptations that await them when released from penal discipline; also, that it affords an opportunity of inuring the men to useful labour and encouraging persevering industry.

Although it is beside the question, I would remark, in the first place, that unless it be admitted that a period of separate confinement, *proportioned* to the different terms of transportation, could be carried out without any very serious effect on the minds and health of the prisoners, it will be obvious that such a mode of dealing with convicts as a body could not be generally pursued.

For example, a sentence of seven years could not, consistently with a due regard to other objects, be commuted for a less period of imprisonment than from two to three years; and as it would be essential to make a distinction between such a sentence and one of fifteen or twenty years, the period of imprisonment in such cases would require to be greatly prolonged.

The observed effects of separate confinement on the mind and health of prisoners, and other considerations connected with the subject, appear to have induced the Government and Parliament to come to the conclusion that separate confinement shall not be generally enforced for a longer period than twelve months. This conclusion has been repeatedly and officially declared in both Houses of Parliament, and is implied in the whole of the resolutions of the Select Committee of the House of Commons of last year, a copy of which is annexed in Appendix, page 85.

I would venture to state my own conviction that any material extension beyond such period could not be generally enforced on all classes of prisoners without very prejudicial effects; neither should I consider it desirable, on penal or moral grounds, even if it could be so enforced. Experience will, I think, justify the conclusion that, with due precaution in the selection of prisoners and in the administration of the discipline, twelve months might be taken as the *average*, instead of the *maximum* period, for carrying into effect a probationary system of punishment and instruction; and such an arrangement would be of advantage in affording the opportunity of removing some prisoners after eight or nine months, and retaining others in confinement from fifteen to eighteen months, as might appear suitable to individual and exceptional cases.

These observations may show that some practical difficulty would arise in any attempt to enforce periods of separate confinement *proportionate* to the different terms of transportation, and I therefore pass on to the question of whether complete isolation is most suitable for reclaiming prisoners, and fitting them to battle with the temptations of life, when they again become exposed to them.

Separate Confinement.

Remarks on separate confinement.

No one will contend that such an amount of seclusion as is practically necessary in the working out of the separate system is otherwise than an unnatural and artificial state, and as such can scarcely be deemed to be suitable for *completing* the training of any one. The very same arguments which induce a parent to overcome all his fears as to the result of sending a child from the quietude of his home into the turmoil of a public school, and afterwards to the more enlarged sphere of action and diminished control of the university, would appear to apply

to a system of probation designed for any other class of human beings.

With regard to this point, Bishop Butler (the author of the "Analogy of Religion, Natural and Revealed, to the Constitution and Course of Nature") makes several observations, which, I think, bear strongly upon the question of bringing prisoners into association after a certain period in separate confinement, as being more sound in principle, and more likely to secure a good result, than greatly prolonging the period of separation and releasing them into society without any probationary stage in association. He remarks that nature does not qualify us wholly, much less at once, for a mature state of life, and that maturity of understanding and bodily strength are only arrived at gradually by the continued exercise of our powers from infancy.

And he goes on to say—"But if we suppose a person brought into the world with both these in maturity, as far as this is conceivable, he would plainly at first be as unqualified for human life of mature age as an idiot.

"It would be a question whether the natural conformation of his sight and hearing would be of any manner of use to him in acting before experience. And it seems that men would be strangely headstrong and self-willed, were it not for some acquired moderation and self-government—some aptitude and readiness in restraining themselves. Thus, the beginning of our days is adapted to be, and is, a state of education in the theory and practice of mature life."

Employment and Industrial Training on Public Works.

Effects of employment on public works.

Again, as regards the employment of prisoners on public works, there seem reasonable grounds to expect that habits of industry, although they may be acquired under long-continued restriction, will not altogether cease to exist when that restriction is removed by the release of the prisoners in the colonies or elsewhere.

The same close reasoner, speaking of a state of probation as intended for moral discipline and improvement, makes the following remark confirmatory of this view:—

"Thus, by accustoming ourselves to any course of action, we get an aptness to go on, a facility, readiness, and often

pleasure in it. The inclinations which rendered us averse to it grow weaker; the difficulties in it, not only the imaginary, but the real ones, lessen; the reasons for it offer themselves of course to our thoughts upon all occasions; and the least glimpse of them is sufficient to make us go on in a course of action to which we have been accustomed. And practical principles appear to grow stronger, absolutely in themselves, by exercise, as well as relatively with regard to contrary principles; which, by being accustomed to submit, do so habitually, and of course. *And thus a new character, in several respects, may be formed;* and many habitudes of life, not given by nature, but which nature directs us to acquire."

Speaking of association after a period of separate confinement, Mr. Martin, Chaplain of the "Defence" Hulk, observes,—

Mr. Martin's remarks on associated labour after separate confinement.

"The value of instruction during a period of separate confinement is strikingly exhibited in the character and conduct of the men received in the hulks, and by the anxious desire and endeavour which they show, on first coming, to keep themselves free from the temptations arising from intercourse with others. Many of those under good impressions earnestly request to be sent back again, dreading the consequence of association; but my own impression is, that it is most necessary that they should, after a certain degree of training in separate confinement, be subjected to this test previously to their being sent abroad with a ticket-of-leave. They possess, indeed, the *theory* of religious principles, and fancy they have sufficient strength to carry them out; but, to be beneficial for after-life, these principles must be put to *practical* proof, and this cannot be better effected than by subjecting them to trial while under restraint, and when they possess the opportunity of looking for encouragement and instruction from their religious teachers."

Under any circumstances, however, the Government have an important duty to perform in arranging a comprehensive system which shall be of *general* application, and in seeing that it is carried out in such a way as to promote the various objects which have to be provided for.

Observations on the reversal of the order in which the probationary periods are administered.

Secondly. With regard to the question of whether it might be desirable to *reverse* the order in which these periods of discipline are administered, which has been advocated by some whose opinions are entitled to the greatest deference, I would observe that the most intelligent officers engaged in the administration of the discipline on public works are unanimous in their opinion that the success of the measures adopted for combining reformation with punishment, so far as working in

association is concerned, depends almost entirely on the prisoners having previously been subjected to separate confinement.

It has been well remarked that whatever is found to be practically right is not theoretically wrong; and though there would be no difficulty in reversing the periods, my experience leads me to the conclusion that such a measure would be fatal to success on public works at home, and be far less likely to secure a favourable result after release in the colonies.

Although this point might be argued on general principles, experience of its effect is, after all, the safest guide. The following is an extract from a letter written by the Bishop of Melbourne, in November, 1849, in which his Lordship, referring to the character and conduct of a large body of exiles,* chiefly from Pentonville, who, after about eighteen months' separate confinement, had been sent direct to Port Phillip, observes,—

Remarks by the Bishop of Melbourne on the "exiles."

"There is another branch of emigration which has, on account of its great practical importance both to the mother country and to this colony, occupied a large share of my attention, and on which I would now venture, although with some diffidence, to state the result of my observation. I allude to that of the Exiles—convicts, either juvenile or of full age, who, after punishment by solitary confinement or other prison discipline for a certain period in England, have been transported to this province, and landed here with a *full pardon,* subject only to the condition that they shall not return to Europe. * * * * *

"I have often reflected upon the subject, and will briefly state the conclusion at which I have arrived, leaving my readers to form their own opinion of its correctness. It is to be remembered that all the grown-up exiles who have been sent from Pentonville—(I do not know exactly the system of the institution for juvenile offenders at Parkhurst)—were subjected for a certain length of time to a peculiar prison discipline, the special characteristic of which was, that they should not have any communication with any one except the chaplain, nor read any book except the Bible;† and that they were taken at once from the prison and put on shipboard, where they were also kept under a strict discipline, until they were landed *perfectly free* in this province. Now the question was, whether the preparatory discipline which they had gone through was likely to produce in them a reformation of life, strengthen them to resist the temptations to which they would be exposed here, and make them to become good citizens. The more I have thought upon the subject the more con-

* The exiles to whom the Bishop refers were embarked in 1847 and 1848,—692 from Pentonville, and 298 from Parkhurst.

† The Bishop is mistaken on this point, as all prisoners have secular books also, and see many other officers, but it does not affect the conclusions at which he has arrived.

vinced I have become, that, in respect to the great majority of cases, it must prove utterly inefficient for such a purpose. That it was a severe punishment I allow; and I have known a man to say that he would rather endure death than undergo it again; but that it has in general a reformatory influence I very much doubt; at least, that its influence is such as to justify the letting of a multitude of such men loose, *without any further trial,* in a country like this. In the solitude of their cells they were exposed to no temptations; the strength of the good resolutions which they might form was not in any way tested; they must perform their appointed work, whatever it might be; they were separated from the influence of evil companions; and, above all, they were not liable to be stimulated to crime by any intoxicating drink. But so soon as they were landed here they were exposed again to all their former temptations at once;—*the love of idleness*—the appetite for ardent spirits—all were likely to return upon them in their full force. And what was there to restrain them from the indulgence of all these? Nothing; unless indeed the Spirit of God has made his written word and the ministry of his servants effectual for their real conversion unto holiness. That this has been the case in some instances we may reasonably hope; but that it has been so in many, the experience, I believe, of all my brethren will compel them to doubt. Wherever it has not been, there is, I repeat, no effectual restraint upon the liberated prisoner.

* * * * *

The argument that there is no temptation to crime here, because there is abundance of labour and high wages, shows an entire ignorance of the prevailing causes of crime. Those causes are very seldom, if ever, the inability to obtain employment and the low price of labour; they are, almost invariably, *habits of idleness*, which make a man unwilling to work, and the use of intoxicating drink, which is always connected with those habits."

The men referred to had been specially selected for Pentonville from the whole body of convicts, and were originally a better class, both morally and physically, than have since been sent to that prison. There were fewer causes to lead them astray at Port Phillip than usually exist in the Australian colonies, and there was at the time a demand for labour at liberal wages. They had therefore a better chance of doing well for themselves than under other and less favourable circumstances. The different officers who had charge of the men during the voyage had spoken in unqualified terms of their good conduct during the passage, on which M. Latrobe, the Acting Governor, made the following remark:—

"It is most gratifying to observe, from the reports of these gentlemen, the orderly, attentive, and correct demeanour exhibited by the exiles during the voyage, but particularly by the boys from Parkhurst prison, which must undoubtedly be attributable, in a great measure,

to the excellent system to which they were subjected while in England."

A better result might therefore have been reasonably expected.

Observations on ticket-of-leave holders and exiles.

I concur with the Bishop in attributing much of the evil consequences to which he adverts to the two causes of their having been sent out *direct* from separate confinement, without any previous association or ordinary industrial pursuits, and their having been released without the salutary restrictions since enforced by a ticket-of-leave. The condition of an exile was that of entire liberty, but the restrictions of a ticket-of-leave subject the holder to hire himself in a remote district and to the forfeiture of his privileges for misconduct.* I should myself have far better hopes of the same class of men who had passed through the two stages of punishment and probation now established than either of them singly; and were I now required to make a selection of the most trustworthy convicts to be sent out for any special object, (such, for instance, as executing works in a new colony,) I should certainly take them from Portland rather than direct from Pentonville, or any other separate prison. But in order to afford a strong incentive to good conduct and industry, to create and maintain the proper distinction which should exist between a convict and an emigrant, and, generally, to afford greater security and advantages to a colony, the probationary period of a Ticket-of-leave should, as was always contemplated, be annexed and strictly enforced.

In connection with this subject, it is, however, of importance to bear in mind the necessity of maintaining some strictly penal establishment or colony, to which all atrocious offenders and dangerous characters, or other convicts who are found to be incorrigible by ordinary discipline, should be sent.

DISTRICT PRISONS.

District prisons.

The Select Committee of the House of Commons, appointed 1850, to "inquire into the Rules and Discipline established with regard to the Treatment of Prisoners in Gaols and Houses of Correction in England and Wales," came to the following very important resolutions respecting the establishment of DISTRICT PRISONS for the reception of all prisoners under sentence of 12 months and upwards:—

* The departure from this original principle, and the substitution of a pardon in the condition of an exile for a ticket-of-leave, was adopted under an exigency, and has not been acted upon for some years past.

" 14. That after prisoners under long sentences have undergone a period of separate confinement, the remainder of their sentences ought to be passed under a system of combined labour with effectual precautions against intercourse.

" 15. That this object would be greatly facilitated by the erection of district prisons, at the national cost, for the reception of prisoners under long sentences after they have undergone such previous separate confinement.

" 16. That such district prisons should be maintained at the national cost, and the government of such prisons, and all appointments and salaries of officers, ought to be under the control of her Majesty's Government."

The effect of carrying out this measure would be to provide the means whereby a more equitable and just apportionment of punishment could be awarded in many cases of minor crimes for which a sentence of 7 years' transportation is now passed. It would appear reasonable that for a certain class of crimes long sentences of imprisonment in this country should be tried before recourse were had to transportation. If this were the practice we should find a large proportion of sentences ranging from one to three years. Such sentences are, however, comparatively rare. During the last 10 years there has not been an average of more than 10 or 12 prisoners sentenced to a longer period than 2 years, and less than 450 to 2 years and above 1 year, whereas the number sentenced to periods of 7 and 10 years' transportation has varied from 3921 to 2256.

I am disposed to believe that, if there existed the means of carrying out a vigorous system of discipline on the plan recommended by the Committee, during periods of imprisonment varying from 18 months to 3 years, a sufficiently repressive and deterring effect would be obtained.

Construction of prisons.

CONSTRUCTION OF PRISONS.

As regards the general construction of prisons, all details have been so fully described in former Reports that I do not feel it necessary again to enter upon the subject further than to notice a circumstance which will have some influence in diminishing the cost of erecting prisons for the future, and also afford facilities for enforcing an improved system of discipline in those which already exist.

Until within a recent period it was deemed to be indispensable that all cells in new prisons should be of the same size, and in other details conformable to those at Pentonville.

It was held that no other cells could be properly certified by the Inspectors of Prisons under the provisions of the 2nd and 3rd Vict. c. 56.

Alteration in the size of cells.

Having doubts upon the subject, I deemed it my duty to bring it under your notice, and the result has been an arrangement by which cells of smaller dimensions, appropriate for the ordinary periods of from 3 to 6 months, may be specially certified for such periods, and you have been enabled to sanction the erection of such cells accordingly. In the preparation of the plans the course I suggest is to provide a proportionate number of cells adapted for prisoners before trial (see Resolutions of the Select Committee, No. 10, p. 86) and for the longest periods of separate confinement, and others of smaller dimensions for the majority of prisoners under short terms. Thus, instead of all cells being 13 feet long by 7 wide, they have in some instances been reduced to 9 or 10 feet long by 6 wide, and 8 feet high from floor to ceiling.

A cell of small dimensions, if properly ventilated on the plan recommended in my 2nd Report, is sufficient for all purposes during moderate periods. Where looms or other cumbrous machinery are introduced for giving employment to prisoners during longer terms, space is an object.

Division of Exercising-Yards and Chapel.

Division of Exercising-yards and Chapel.

As regards Exercising-yards, instead of separate divisions for the whole of the prisoners, a practice has been adopted at Wakefield and other prisons, of exercising the prisoners round a paved circular path, in the centre of which the superintending officer is placed. The prisoners being kept at a certain distance from each other effectually prevents communication; and, if caps with large peaks be worn, recognition may be very effectually prevented.

The necessity of dividing the Chapel into stalls is recommended by some chaplains and authorities, and objected to by others. At Wakefield the divisions have been removed at the express request of the chaplain; and at Preston Mr. Clay has a strong objection to them.

The plans annexed to this Report show the application of the principles of construction of Portland prison to the internal fittings of the old war-prison at Dartmoor, by which separate sleeping-cells for convicts who during the day are employed in association are obtained at a very moderate outlay.

Hard Labour.

Hard Labour.

The Select Committee of the House of Commons which sat in 1850 came to the following Resolutions in regard to the means of enforcing a sentence of Hard Labour, as distinguished from simple Employment:—

13. That hard labour is not incompatible with individual separation, and that where they have been tried in combination, as in the County Prison at Leicester, the effect has been remarkable in the decrease of the number of committals, especially under the Vagrant and Malicious Trespass Acts.

25. That provision ought to be made in every prison for enforcing sentences of imprisonment with hard labour.

These Resolutions are in strict accordance with the law as laid down in the 4th Geo. IV. cap. 64. The means adverted to in the case of Leicester are small crank-machines, similar to those described in my 2nd Report. Treadwheels, where they already exist, have been divided so as effectually to separate the prisoners, though they are brought out of their cells to work. At Bristol these arrangements are very complete. Cranks in a continuous line have been divided in a similar manner, and placed in sheds, where the cells have been too small for the introduction of the machines.

Several attempts have been made during the past year to construct or improve machines for enforcing a sentence of hard labour in separate cells. Mr. Appold has placed one in the Exhibition, which is an improvement upon that shown in my second Report.* The Governor of Leicester prison has also constructed one in a very simple form. Both these machines possess the advantage of allowing the pressure to be regulated by means of a lever and weights. Mr. Fillary, the engineer at Coldbath-fields prison, has invented one on a different principle, but there appear to be some practical difficulties in working it.

A set of cranks on a continuous shaft, which could be disposed in a shed with compartments, has been invented by Messrs. Easton and Amos of Great Guildford Street. The advantage it offers is that the regulated amount of pressure for each individual can be applied independently of others. The machinery, however, is more expensive than the other simple contrivances to which I have adverted.

* Manufactured by Mr. Botten, Crawford-passage, Clerkenwell.

The power obtained by cranks disposed on a shaft might be applied to grinding corn, crushing bones, or other purposes; but when the machinery and other items are taken into account, the profits, excepting under very favourable circumstances, are doubtful. The most useful purpose to which such power can be applied about a prison is that of pumping water. There would be no difficulty in making use of the power obtained in the single machines, but the trouble it would entail would be greater than any possible advantage.

In both cases it must be borne in mind that it is an object to give effect to a sentence of hard labour; and that a broad distinction should be made between labour given as a punishment, and employment in separation, which is given as a solace. Whether, therefore, the power be applied usefully or otherwise is a question of more importance in a financial point of view than in any other. My own impression is that the generality of prisoners would have a greater distaste for the labour, if the power were not applied to any useful purpose; and unless a clear profit of considerable amount be realised, it would be preferable not to incur any additional expense for manufacturing purposes.

The decision of the Directors of Prisons in Scotland on the subject of Hard Labour, and the regulations adopted by them for carrying it into effect, appear in the following extract from their 12th Report, dated February 12, 1851:—

"Before, however, proceeding to advert to the matters usually touched upon in our Reports, we deem it proper to refer to the statement made by us in our last Report, that, while we continued to attach the greatest importance to the principle of separation, which forms the basis of the system of prison discipline it has been our duty to administer, and were unable to conceive that there could exist any doubt as to the expediency, or rather the necessity, of carrying out that principle as far as might be practicable; while, too, we deprecated any change in those portions of the system which duly provide for the preservation of the health of the prisoners, for their moral and religious instruction, and for their employment in useful labour within the prisons, our experience had led us to the conclusion that the system had not fully answered its expected object in deterring offenders from a repetition of crimes, and that it would be expedient to increase, in certain cases, the stringency of punishment, by the introduction of the crank machines recommended by the Surveyor-General of Prisons. Nothing occurred in our experience of last year calculated to lead us to distrust the correctness of that conclusion; and, in the course of it, we were much engaged, with the assistance of the Inspector of Prisons in Scotland,

in considering as to the most expedient mode of carrying this more stringent system into effect, consistently with the limitations indicated in the Report referred to, and in conformity with an opinion as to our statutory powers by the law officers of the Crown. Among other modes of obtaining information as to the practical working of the crank machines, with a view to their introduction into prison use in Scotland, we issued instructions that the Governors of the prisons of Edinburgh and Glasgow should inspect several of the prisons in England where the crank machines had been for some time in operation, and should report the results for our information, which they accordingly did. In August last our arrangements were so far matured, that we were enabled to submit to you, for your approval, regulations which we had prepared with reference to the introduction of the use of the crank machines in the general prison at Perth, and eight of the chief county prisons in Scotland, being those in which it appeared to us this description of labour could for the present be most conveniently and advantageously introduced.

"All convicted male prisoners committing offences against prison discipline shall be subject to employment at the crank machine, and also those convicted male prisoners sentenced to imprisonment for sixty days, or any shorter term, who shall have previously been, so far as known, most frequently in prison under conviction for crime.

"No prisoner who, in the opinion of the prison surgeon, could not be employed at the crank machine without the risk of such prisoner's health being thereby injuriously affected, shall be so employed; any case in which on this ground a prisoner shall be exempted from crank-machine labour to be entered, with a statement of the reasons, by the Governor in his journal, and reported by him to the county board.

"The number of revolutions of the crank machine shall, in the case of every adult prisoner, be on each lawful day 14,400, excepting on Saturdays, when the number shall be 12,600, and in the case of each juvenile prisoner 12,000 on each lawful day. The weight to be apportioned to the age and strength of the party at work, but not to exceed 11 lbs.

"Prisoners employed at the crank to be allowed their breakfast and dinner at the regular hours, provided they have done a fair proportion of their task; but the supper is to be withheld until the task be completed.

"Prisoners so employed proving refractory, and refusing to work, shall be placed in solitary confinement on bread and water, in like manner as for other prison offences, which is to be continued so long as they remain refractory, unless the surgeon shall deem it necessary to order them additional diet."

The details for regulating the labour and distribution of time, in accordance with these resolutions, is as follows:—

Daily Division of Crank-Machine Labour for an Adult.

Distribution.	Time.	Number of Revolutions.	Rate per Minute.
	h. m.		
6 A.M. to 6 30 A.M. for washing person and cleansing cell	..	..	..
6 30 A.M. to 7 30 A.M., crank machine	1 0	1,440	24
7 30 A.M. to 8 A.M., breakfast	0 30	..	..
8 A.M. to 10 20 A.M., crank machine	2 20	3,360	24
10 20 A.M. to 10 40 A.M., exercise	0 20	..	..
10 40 A.M. to 1 P.M.	2 20	3,360	24
1 P.M. to 1 40 P.M., dinner	0 40	..	..
1 40 P.M. to 6 P.M.	4 20	6,240	24
Except on Saturdays, when it will be	..	4,440	..
Total number of revolutions on each day but Saturday	..	14,400	..
Total number of revolutions on Saturday	..	12,600	..

N.B.—Meals will be withheld until the above proportions of labour are completed, and any prisoner refusing to work the crank machine will be placed on bread and water, and kept thereon until he consents to do so.

For juveniles the number of revolutions is 12,000, at the rate of 20 per minute.

Captain Mullen, the Governor of Glasgow Prison, expresses his conviction that the introduction of this system of enforcing a sentence of hard labour, as compared with the employment at trades, which has been so long in operation in the prisons of Scotland, will have a very deterring effect on crime, and materially diminish the number received into the prison. He states that this description of labour is much disliked by the prisoners, and that many instances have already occurred in which they have stated their determination not to subject themselves to such discipline again.

As the machine would be injured by a too rapid revolution of the handle, and a prisoner inclined to complete his regulated task in the early part of the day might pass the remainder of it in idleness, Captain Mullen enforces with great regularity the prescribed number of 24 revolutions per minute, or 1440 in the hour. Instances have occurred in which prisoners, having completed the number respectively entitling them to breakfast and dinner, have refused to work in the afternoon, not caring so much for their supper. The regulation of the board of Directors in regard to confinement on bread and water for refractory prisoners, has, however, generally been effective in securing their future compliance with the rules.

In working crank-labour machines it is necessary to have them so regulated as to be suitable to the strength of

different individuals, and, as continuous labour in turning the handle is distasteful to a prisoner, it is not necessary to exact any very great pressure. From 3 lbs. to 10 lbs. is stated to be a sufficient range to suit all classes. It would appear proper that the machine should be tested every day, and kept well and constantly oiled. In regulating the pressure, the weight should not be suspended to the handle when at rest, as the friction of first starting the handle will generally be much greater than the pressure when in motion.* A more correct mode is to suspend the required weight to the handle, and after turning it round several times to leave hold of it when it is nearly in a horizontal position. If the handle immediately descends into a vertical position, the friction is not equal to the weight, and must be increased; if it stops when left to itself, the pressure is probably too great. A very little experience will enable the Governor and Surgeon, who should decide on the proper class of machine for each prisoner, to regulate them with sufficient precision.

Gradations of punishment.

CLASSIFICATION OF PRISONERS AND GRADATIONS OF PUNISHMENT.

The Committee on Military Prisons, of which Earl Cathcart was president, in their general Report, dated May 9th, 1844, make an important suggestion on the subject of a classification of prisoners with a view to certain relaxations of discipline contingent upon good conduct, &c.

They observe,—

"With reference to the ordinary punishment, the Committee waived all idea of carrying it into execution by means of what is technically called the separate system. Without contesting the general merits of that system, the Committee felt precluded from its adoption in South Sea Castle and Fort Clarence by the construction of those fortresses; and moreover, they did not consider it called for in the case of soldiers, by the same reasons which form its chief ground of recommendation in civil gaols.

"The Committee propose a system of associated labour under a rule of silence; but *upon this they grafted a principle to which they are disposed to attach very considerable importance.*

"The principle to which they allude is that of Classification, and this, not by determining each prisoner to a particular class from the sole and exclusive consideration of the character of the offence of which he happens to be convicted (which might lead to much practical error), but by a combination of the various reasons which bear upon the question in each several instance. This scheme of classifi-

* This suggestion only applies to the ordinary machines now in use.

cation also admits of the promotion or degradation of the prisoners, according to their behaviour; and it is expected that, by operating on their hopes and fears, it will have a very beneficial tendency in the way both of example and of encouragement."

Further extracts from the Report and the rules for giving effect to this recommendation are annexed in the Appendix, page 88.

In carrying the rules into effect, the difference in treatment between the first and second classes is, that the former are generally exempted from shot drill, and during the hours prescribed for that exercise are employed in working heavy guns, or in *labour not of a penal character*. They have also a meat dinner on Sundays, which, considering that the diet is entirely without meat, is considered a great privilege, and they have a bed every night to sleep on.

The distinction between the second and third classes consists in the former being exercised with 24 lb. shot, while the latter carry 32 lb. shot. The second class also receive school instruction from 6 to 8 o'clock in the evening, whilst the third class are employed in picking oakum. A further distinction has recently been introduced. All prisoners sleep as if they were *on guard* for the first week after admission, that is to say, on a bare board with nothing but a blanket as a substitute for a great-coat. After that period the third class sleep as if on guard alternate nights, and the second class one night out of three.

These distinctions between the classes may appear trifling, but the endeavour that is generally made by the men to obtain the advantage of promotion to a higher class proves that they possess the required influence.

It may be said that higher motives than those which are held out might be placed before the prisoners.

If what passes among mankind in general does not enable us to form an opinion on the subject, it will, unfortunately, be in the experience of all engaged in the administration of penal discipline, that the great majority of prisoners will ever be more influenced by a low class of motives than by higher ones; and therefore the former must be mainly operated upon, if the object be to make an impression. This consideration has especial weight when the necessity for exemplary punishment is acknowledged; for in proportion as the stringency of discipline is relaxed, a recommittal to prison will cease to be dreaded.

Coercion in school, or at industrial employment of any kind,

is almost impracticable; and if prisoners on discharge are enabled to boast how little they cared for the punishment, (which they are generally inclined to do, however distasteful it may have been,) common sense tells us that the general effect of lenient measures would be very unfavourable.

Still, whilst advocating a stringent and repressive system of discipline for all short periods, I am no less impressed with the advantage of encouraging good conduct by the hope of reward. The discipline of the Military prisons has been founded on this principle, and I have watched with more than ordinary interest its effects on the repression of crime in the army, and on the conduct and health of the prisoners, from a feeling that it would afford the best possible opportunity of judging of the influence of the different measures which might be adopted.

It appeared to me, also, that whatever might be the difference in the conditions between military and civil crimes, the object to be attained in prisons being common to both, any success which might attend an experiment steadily carried on in either, would afford some useful hints more or less of general application.

This led me to bring the principle of *classification* and a *gradation of punishment* under the notice of the magistrates of Hampshire at the time when the means of enforcing Hard Labour in connection with separate confinement in the new prison at Winchester was under their consideration; and they were induced to determine on making the experiment.

The result of the first trial of this principle in a county prison has, I believe, been satisfactory; and as further experience is gained of its effects, the proper limits between a maximum and minimum amount of Hard Labour will be made apparent. I see no reason to doubt that it will be found to combine elements of punishment and reformation, calculated to promote the objects of prison discipline.

In the generality of cases no reasonable expectation can be formed that a prisoner's character can be improved by instruction, or other ameliorating influence, during very short periods of confinement; but if such cases be disposed of by enforcing strict penal discipline, with a view to deter from crime by the fear of its consequences, the principle of classification will provide during longer periods such progressive remissions as will afford encouragement to the well-conducted prisoner, leaving the severity of the discipline to fall on recommitted prisoners and those who deserve it.

When crank machinery or a treadwheel is in use, there exist great facilities for establishing a gradation of punishment suitable to the different classes. For example, if, according to the Regulations established by the Directors of Prisons in Scotland, the maximum amount of labour was to the extent of 1440 revolutions per hour for 10 hours, the minimum might be an equal number of revolutions per hour for 5 hours, and prisoners who gained such remission might be employed during the hours they would otherwise have been at hard labour in some kind of light labour or industrial employment, or they might receive additional instruction in school.

In considering the means of increasing the stringency of the discipline, and bringing it to bear with greater effect on the lowest class of prisoners, and on such as prove to be incorrigible, also on prisoners recommitted to prison, it is deserving of consideration whether giving them a less comfortable bed for certain periods, or on alternate nights, might not be desirable. The physical comforts of a prison are of necessity greater than the majority of prisoners enjoy when at liberty; and if without injury to health these can be abridged, a more deterring effect will be produced by the discipline, both on the individual himself and the criminal population generally.

I have the honour to be, Sir,

Your most obedient humble servant,

J. JEBB, Lieut.-Col., } Surveyor-General of Prisons, and Chairman of the Directors.

APPENDIX.

ADDITIONAL RULES FOR PARKHURST PRISON.

Rules for Parkhurst prison.

Appropriation of Wards.

The Prison consists of three Departments—

1. The Probationary Wards.
2. The Junior Wards.
3. The General Wards.

Probationary Ward.

Mode and period of confinement.

1. All prisoners on reception will be placed in the Probationary Ward. They shall be confined in separate cells, in ordinary cases for a period of four months, and in especial cases for five months.

May at any time be remanded.

2. Every prisoner, after having passed through the Probationary Ward, is liable, at any time, to be sent back thereto, at the discretion of the Governor.

On leaving the Probationary Class, prisoners not to be immediately employed at out-door labour.

3. The prisoners, on leaving the Probationary Cells, are to be placed at quiet and sedentary occupations, and not to be employed at out-door labour for the first month of their entering the General Wards, without the sanction of a Director.

Junior Wards and General Wards.

Classification of Prisoners.

1. The prisoners in the General Wards and in the Junior Wards respectively will be divided into three classes, named the First, Second, and Third Class.

Third Class.

2. Prisoners who have passed through the Probationary Ward will be received into the third class.

Detention in third class.

3. The minimum period of detention in this class will be four months, after which they will be eligible for removal to the second class; but this removal will not take place unless the officers are satisfied by their exemplary conduct, attention, and industry, that they deserve it.

No privileges to third class.

4. The third class will be kept under strict discipline, and no special privileges will be granted to the prisoners therein.

Second Class.

5. The second class will be divided into two divisions, to be called the first and second divisions of the second class.

Second-class badges.

6. The second division of the second class will be distinguished by wearing a badge of red cloth upon the right arm, showing No. 2 in white cloth. The first division of the second class will wear a badge with No. 1 in white cloth.

Detention in second class.

7. No prisoner will be advanced to the first division until he has passed at least three months in the second division; and no prisoner will be advanced to the first class till he has been at least three months in the first division of the second class.

8. The second class will all be kept under strict discipline, but will have the privilege of attending school in the evening after the third class have been locked up in their cells. Privilege of attending school in the evening.

9. The first class will likewise be divided into two divisions, to be called the first and second divisions of the first class. *First Class.*

10. The second division will be distinguished by wearing a badge of blue cloth upon the right arm, showing No. 2 in white. The first division will wear a similar badge, marked with No. 1. First-class badges.

11. Under ordinary circumstances no prisoner will be advanced to the first division until he has passed at least six months in the second division of the first class. Detention in first class.

12. The first class should be made to understand that they are passing through a probationary period of great importance to their future prospects; that the selection for the privilege of tickets-of-leave in one of the colonies will be made from this class; that the period of detention at Parkhurst under the regulated scale will depend upon their showing that the instructions and industrial training they have received have not been thrown away; and that any relaxation of discipline, or greater opportunities of communicating with their fellow-prisoners, that may be granted to them, will enable them to prove whether they are really deserving and can be trusted. Privileges of first class.

13. They are expected to set an example of industry and good conduct to the whole body of prisoners, and to show that they are deserving of confidence, and that, if recommended for a ticket-of-leave, they have determined to become useful and industrious in the colony to which they may be sent. To show a good example.

14. The Governor has the power to degrade a prisoner for the commission of an offence, and every prisoner degraded from a class will necessarily forfeit any advantage for which he may have been recommended while in that class. Governor may degrade.

15. As a reward for industry and good conduct a gratuity will be credited to deserving prisoners, of such an amount, and under such regulations, as may from time to time be established. Gratuities for industry and good conduct.

16. The amount of the gratuity will depend on the class in which a prisoner may be placed. Amount of gratuity.

17. The amount placed to a prisoner's credit will be transmitted to the Governor of the colony to which the prisoner may be removed, and will be afterwards advanced to the prisoner under certain restrictions, or be otherwise applied to his benefit, as may be considered desirable. Disposal of gratuity.

18. The gratuity, according to classes, will for the present be as follows:— Scale of gratuities.

	General Ward.	Junior Ward.
1st class, per week . . .	6*d.*	4*d.*
2nd ,, . . .	3*d.*	2*d.*

19. The cases of prisoners in the infirmary, or otherwise incapacitated by accident from going to work, will be specially considered. Prisoners in the infirmary.

20. Prisoners misconducting themselves, or under punishment, forfeit all claim to gratuities; and any prisoner attempting to escape, or who shall be guilty of any act of violence or outrage, Penalty of misconduct.

shall be liable to forfeit any gratuity which may have previously been placed to his credit.

Tickets of-leave.

21. Prisoners who do not misconduct themselves will be eligible to be recommended to the Secretary of State for tickets-of-leave in one of the colonies, according to the following scale:—

If sentenced to seven years, after a detention of two years and a half in the General Ward, or three years in the Junior Ward:

If sentenced to ten or fifteen years, after a detention of three years in the General Ward, or three years and a half in the Junior Ward:

If sentenced to above fifteen years, after a detention of three years and a half in the General Ward, or four years in the Junior Ward.

Prisoners specially reported for good conduct.

22. Prisoners obtaining special reports of good conduct and industry will be brought under the notice of a Director, with the view to being recommended to the Secretary of State for an earlier removal.

Prisoners of advanced age.

23. Prisoners who may have reached an age when they can be no longer looked upon as boys, previously to the period when, under the above regulations, they would be entitled by good conduct to be recommended for removal to the colonies, are liable to be transferred to some other convict establishment to work out their period of probation; and prisoners of a similar age, who by misconduct may have forfeited their privileges, will be removed to some other prison, where they will be subjected to the full period of probation as if they had not been admitted to Parkhurst prison.

Diet Tables.

DIET TABLES AT THE CONVICT PRISONS.

Millbank Prison.

	Breakfast.	Dinner.	Supper.
Monday ... Tuesday... Thursday .. Friday .... Saturday ..	¾ pint of cocoa, made with 2½ oz. of cocoa nibs, ½ oz. molasses, 2 oz. milk, and 8 oz. bread.	5 oz. meat (without bone, and after boiling), 1 lb. potatoes, and 6 oz. bread.	1 pint of gruel, made with 2½ oz. of oatmeal or wheaten flour, sweetened with ½ oz. molasses, and 8 oz. bread.
Wednesday Sunday ...		1 pint of soup, made with 3 oz. of cooked meat, 3 oz. of potatoes, 1 oz. barley, rice, or oatmeal, 1 oz. onions or leeks, with pepper and salt, 1 lb. potatoes, and 6 oz. of bread.	

Diet for prisoners under punishment for prison offences, for terms not exceeding three days, 1 lb. of bread daily.

Diet at Pentonville Prison.

	Breakfast.	Dinner.	Supper.
Every day in the week.	¾ oz. of flaked cocoa, or cocoa nibs, made with 2 oz. of milk and 6 drachms of molasses, into ¾ pint of liquid cocoa.	4 oz. of meat, weighed when cooked, without bone; and ½ pint of soup, and 1 lb. potatoes, weighed when boiled.	1 pint of gruel, sweetened with 6 drachms of molasses.

Bread, 20 oz. per diem; a liberal allowance of salt; soup made with liquor of meat of the same day, strengthened by 3 ox-heads to 100 pints, barley, peppers, and carrots added, and a seasoning of onions; gruel, 1½ oz. of oatmeal to 1 pint.

Diet at Portland Prison.

	Breakfast.	Dinner.	Supper.
Sunday ... Tuesday .. Thursday . Saturday ..	1 pint of tea, made with ⅙ oz. of tea, and sweetened with ¾ oz. of raw sugar.	6 oz. of cooked meat, without bone, and 1 pint of soup. 1 lb. of potatoes.† 6 oz. of bread.‡	1 pint of oatmeal gruel.‖ 9 oz. of bread.
Monday. .. Wednesday Friday	1 pint of cocoa, made with ¾ oz. of cocoa, ¾ oz. of molasses.	5 oz. of cooked meat, without bone, and 1 pint of soup.§ 1 lb. of potatoes. 6 oz. of bread.‡	
	12 oz. of bread,* 2 oz. milk, daily.		3 oz. of molasses per week.

* The general distribution of the daily allowance of bread may be varied at the discretion of the Medical Officer.

† Any other vegetable, of equivalent value, may be substituted for potatoes on the recommendation of the Medical Officer.

‡ Authority has been granted for substituting suet pudding, made with 5 oz. flour and ¾ oz. suet, occasionally for the dinner bread; but in consequence of alterations going on in the means of cooking at Portland this change has only just commenced.

§ The soup to contain per pint, besides cooked meat as above, 1 oz. barley, 1 oz. rice (or oatmeal), and 1 oz. onions or leeks, with pepper and salt.

‖ The gruel to contain 2 oz. oatmeal per pint.

Prisoners in separate confinement, and not at constant hard labour—diet in bread and meat reduced one-fourth. If in separate confinement for *idleness*, they only get half the full diet.

Diet at the Hulks.—Woolwich and Portsmouth.

FIRST AND SECOND CLASS.

	Breakfast.	Dinner.	Supper.
Sunday ... Tuesday... Thursday . Saturday ..	1 pint of cocoa, made with ¾ oz. of flaked cocoa or nibs, sweetened with ¾ oz. of molasses or sugar, and 12 oz. of bread.	6 oz. cooked meat without bone, 1 lb. potatoes, and 6 oz. of bread.	1 pint of oatmeal gruel† and 9 oz. of bread.
Monday ... Wednesday Friday		1 pint of soup,* containing 5 oz. of cooked meat, 1 lb. of potatoes, and 6 oz. of bread.	

THIRD CLASS.

Sunday ... Tuesday .. Thursday . Saturday ..	1 pint of cocoa, made with ¾ oz. of flaked cocoa or nibs, sweetened with ¾ oz. of molasses or sugar, and 12 oz. of bread.	4 oz. cooked meat without bone, 1 lb. potatoes, and 6 oz. of bread.	1 pint of oatmeal gruel† and 6 oz. of bread.
Monday .. Wednesday Friday		1 pint of soup,* containing 3 oz. of cooked meat, 1 lb. of potatoes, and 6 oz. of bread.	

* The soup to contain per pint 5 oz. of cooked meat without bone for the first and second class, and 3 oz. of cooked meat for the third class, 1 oz. of barley, rice, or oatmeal, 1 oz. of onions or leeks, with pepper and salt.

† The gruel, when made in quantities exceeding 50 pints, to contain 1½ oz. of oatmeal per pint, and 2 oz. per pint when made in less quantities. The gruel on alternate days to be sweetened with ¾ oz. of molasses or sugar, and seasoned with salt.

Diet at Parkhurst Prison.

GENERAL AND PROBATIONARY WARDS.

	Breakfast.	Dinner.	Supper.
Sunday .... Tuesday ... Thursday .. Saturday...	1 pint of cocoa, made with ¾ oz. of flaked cocoa, ¼ pint of milk, and ¾ oz. of molasses.	4 oz. cooked beef without bone, ¾ lb. potatoes, 1 pint of broth in which the beef has been boiled, with 4 oz. of potatoes, 1 oz. Scotch barley, flavoured with onions, pepper, and salt, 6 oz. bread.	1 pint of gruel, made with 2½ oz. oatmeal and ¾ oz. molasses, and 6 oz. bread.
Monday ... Wednesday Friday.....		1 pint of soup, made with 3 oz. cooked meat without bone, 3 oz. potatoes, 2 oz. barley or rice, 1 oz. onions or leeks, with pepper and salt, 6 oz. bread, and 1 lb. potatoes.	

Diet at Parkhurst Prison—continued.

JUNIOR WARDS.

	Breakfast.	Dinner.	Supper.
Sunday ... Tuesday .. Thursday.. Saturday ..	1 pint of cocoa, made with $\frac{5}{4}$ oz. of flaked cocoa, $\frac{1}{2}$ pint of milk, and $\frac{3}{4}$ oz. of molasses, and 6 oz. bread.	4 oz. of beef cooked without bone, 1 pint of broth in which the beef has been boiled, with 4 oz. potatoes, 1 oz. of barley, flavoured with onions, pepper, and salt, 8 oz. potatoes, 4 oz. bread.	1 pint of gruel, made with $2\frac{1}{2}$ oz. of oatmeal and $\frac{3}{4}$ oz. molasses, and 6 oz. of bread.
Monday ... Wednesday Friday		1 pint of soup, $\frac{3}{4}$ lb. potatoes, 4 oz. bread.	

REFRACTORY WARDS.

Every day..	1 pint of gruel, made with $2\frac{1}{2}$ oz. oatmeal, $\frac{3}{4}$ oz. molasses.	8 oz. bread, $\frac{3}{4}$ lb. potatoes.	8 oz. bread, 1 pint of the liquor in which the meat of the other prisoners has been boiled.

Salt.—1 oz. to each prisoner, including that consumed in the soup.
Fresh Vegetables to the General, Probationary, and Junior Wards occasionally.

Diet in the Military Prisons at Home.

During the past year an alteration, to a certain extent, has been made in the articles prescribed for the diet of military prisoners at home, and a reduction also has been effected in the quantity previously allowed.

Shortly after the military prisons were established the following scale of diet was in force:—

For breakfast, 10 oz. of oatmeal or 12 oz. of bread, and $\frac{1}{2}$ pint of milk.
For dinner, 4 lbs. of potatoes, with salt, ditto.
For supper, 8 oz. of bread, ditto.

On Sundays, the dinner of the first class, 10 oz. of beef without bone and after cooking, 2 lbs. of potatoes, and 1 pint of soup. The soup to be thickened with $\frac{1}{2}$ lb. each of barley, onions, and carrots, or with $\frac{1}{2}$ lb. each of peas, oatmeal, and onions, per gallon, and seasoned with pepper and salt.

If in solitary confinement for a prison offence, or placed on bread and water as a punishment, 1 lb. of bread, with such quantity of water as a prisoner may desire to have, daily. The bread to be of the quality of ration bread.

When, from the bad quality of potatoes, or from their scarcity, it may be necessary to alter the dinner meal, the following may be substituted for the 4 lbs. of potatoes and $\frac{1}{2}$ pint of milk:—

10 oz. of rice, sweetened with ½ oz. of molasses, and ½ pint of milk,—
Or, 16 oz. of bread, and ½ pint of milk,—
Or, 16 oz. of flour, and 1¾ oz. of suet, formed into a pudding,—
Or, ½ pint of peas, and 4 oz. of pork, made into soup,—
Or, 1 pint of peas, with ½ pint of milk, made into porridge,—
Or, 12 oz. of oatmeal, and ½ pint of milk.
Salt may be allowed in every instance.

For men in solitary confinement by sentence of courts-martial, or in separate confinement, or not at severe hard labour, these quantities, except milk, to be reduced one-fourth.

In the military prisons in England the above substitutes were generally resorted to; but in the Irish prisons, on the failure of potatoes, Indian meal was adopted as a substitute, and the diet for some time past in those establishments consisted of—

Breakfast, 10 oz. of oatmeal.
Dinner, 12 oz. of Indian meal.
Supper, 8 oz. of bread.

The amount of food afforded in the 24 hours to each prisoner by this scale was stated by the medical officer of the military prison at Dublin to be 6 lbs. 7 oz.—a quantity deemed to be more than sufficient, or even beneficial. He proposed, therefore, that it should be reduced as follows:—

	Hard Labour.			Solitary Confinement.		
	oz.	lb.	oz.	oz.	lb.	oz.
Breakfast, oatmeal . .	8 or	2	2 of stirabout .	8 or	2	2
Dinner, Indian meal . .	9 ,,	2	6 ,,	6 ,,	1	9
Supper, bread	8 ,,	0	8 ,,	8 ,,	0	8
		5	0		4	3

This scale was accordingly tried in the military prison at Dublin for three months, from the 1st of March to the 31st of May, 1850; and the Report furnished by the medical officer proved its sufficiency, both as to quality and quantity, by the fact that the health of the prisoners had during the period been far better than during the corresponding three months of 1849, the cases of illness having been 53 only in the former, and 146 in the latter period; and further, that the men discharged at the expiration of their imprisonment were in perfect health, and rejoined their regiments fit for immediate duty.

A further trial of this diet was, therefore, ordered to be made in all the other prisons at home, and detailed Reports were furnished from the Governors and medical officers as to the general effect on the health of the prisoners, accompanied with statements of their weights during the period of this trial—viz. from the 1st of August to the 31st of October, 1850; during the three preceding months; and also during the three months from the 1st of August to the 31st of October, 1849.

The result of this investigation as regards the weights of prisoners showed that on the whole fewer prisoners gained weight during the three months to the 31st of October, 1850, than in either

of the previous periods, but the average gain was about the same. The losses of weight were, however, greater in numbers and amount.

A remarkable testimony was borne to the advantage of adopting this reduced scale of diet by the Ordnance medical officer at Woolwich, who stated that, although the sappers and miners returned quite equal to the duties required of them, the gunners were, with scarcely an exception, unfit for a short time to perform a portion of their usual exercises (probably working heavy guns). He added, "One thing, however, is certain—the men who have been discharged from Fort Clarence have returned so disgusted with prison fare and prison discipline, that they are not likely to be caught there again; and the salutary dread amongst the men in the detachments from their reports is so great, that any temporary inconvenience the service may suffer from the loss (of the services) of a few men is not to be weighed against the high advantage of possessing a means of deterring from the commission of crime, at once certain, safe, and in keeping with the general expression of public opinion."

Admitting the principle laid down by the Committee on Military Imprisonment, that the diet of military offenders should be limited to such quantity and quality of food as will preserve them in health, enable them to go through the discipline of the prison, and return to their corps at the termination of their imprisonment fit for duty, and at the same time be as different as possible from the soldiers' duty ration, the Secretary at War, on a consideration of these Reports, sanctioned the adoption in future of the following regulations in respect to diet for prisoners at home:—

Diet of Prisoners.

The prisoners' diet, when not in solitary confinement, is to be as follows:—

Breakfast, 8 oz. of oatmeal, and ½ pint of milk.
Dinner, 9 oz. of Indian meal, ditto.
Supper 8 oz. of bread, ditto.

If in solitary confinement by sentence of a court-martial, or in separate confinement, or not employed at severe hard labour,—

Breakfast, 8 oz. of oatmeal, and ½ pint of milk.
Dinner, 6 oz. of Indian meal, ditto.
Supper, 8 oz. of bread, ditto.

The following scale may be adopted for prisoners after 84 days' confinement, should the medical officer of the prison consider it necessary, but not otherwise:—

	Hard Labour.	Solitary Confinement.
Breakfast, oatmeal . . .	10 oz.	8 oz.
Dinner, Indian meal . .	12 „	9 „
Supper, bread	8 „	8 „

With ½ pint of milk to each meal.

When it may be deemed necessary by the medical officer, for the

health of a prisoner, to substitute occasionally bread for oatmeal or Indian meal, the following will be the proportion:—

10 oz.	of bread,	in lieu of	8 oz. of oatmeal.
12	,,	,,	9 oz. of Indian meal.
8	,,	,,	6 ditto.

If in solitary or close confinement for a prison offence, or placed on bread and water as a punishment, 1 lb. of bread, with such quantity of water for drinking as a prisoner may desire to have for the first three days of such confinement, which may, however, be extended to seven days, at the discretion of the visitor; and for the remaining period, the same diet as above for prisoners in solitary confinement by sentence of a court-martial.

A statement of the number of cases in which the extension beyond three days is awarded should be included in the medical officer's quarterly Report.

The bread to be of the quality of ration bread.

On Sundays the dinner of the first class is to consist of 10 oz. of beef without bone and after cooking, 2 lbs. of potatoes or 8 oz. of bread, and 1 pint of soup. The soup to be thickened with 1 oz. of oatmeal or 1 oz. of barley, and 2 oz. of vegetables, per man, and seasoned with pepper and salt.

On foreign stations the above scales of diet may also be used when deemed expedient; but if not, such diet only shall be used as may have received the sanction of the Secretary at War.

This reduced diet has now been in force in all the military prisons at home since the 1st of August last, or for five months of the year 1850, combined with the system adopted in December, 1849, of requiring prisoners of the second and third classes to sleep without a mattrass, as if they were on guard, for certain nights in the week; and the medical statistics of the prisons for the past year, exhibiting as they do a very considerable diminution of sickness as compared with the previous year, are sufficient evidence, notwithstanding the losses of weight, that no injurious effects have resulted to the health of the prisoners from the adoption of either of these measures for enforcing a more stringent discipline in these establishments. I have gone thus minutely into detail, with a view of showing the effect of adopting Indian meal as prison diet.

Embarkations.

RETURN of Convict Ships sent to the Colonies in the Year 1847.

Ship.	Date of Departure.	Destination.	Number of Convicts.
"Thomas Arbuthnot" .	6th January, 1847. .	Port Phillip . .	289
"Samarang"	12th May ,, . .	Ditto . . .	25
"Joseph Soames" . .	2nd June ,, . .	Port Phillip . .	249
"Marion".	7th September ,, . .	Ditto and Van Diemen's Land . .	299
"Orient"	24th November ,, . .	Western Australia.	51
		Total . .	913

In addition to these the "Euryalus" conveyed 300 male criminals to Public Works at Gibraltar.

RETURN of Convict Ships sent to the Colonies in the Year 1848.

Ship.	Date of Departure.	Destination.	Number of Convicts.
"Mount S. Elphinstone"	2nd February, 1848 .	Van Diemen's Land	140
"Anna Maria" . . .	6th March ,, .	Van Diemen's Land and Port Phillip	190
"Ratcliff"	29th July ,, .	Van Diemen's Land	250
"Eden"	30th September ,, .	Ditto & Port Phillip	237
"Ameer"	20th October ,, .	Western Australia.	50
		Total . .	867

In addition to these the "Mount S. Elphinstone" conveyed 110, and the "Euterpe" 65, male criminals to Public Works at Gibraltar, and the "Neptune" 296 to Bermuda, making a total of 1328.

RETURN of Convict Ships sent to the Colonies in the Year 1849.

Ship.	Date of Departure.	Destination.	Number of Convicts.
"Hashemy"	11th February ,, .	Sydney. . . .	236
"Randolph"	28th April ,, .	Port Phillip . .	300
"Mount S. Elphinstone".	1st June ,, .	Moreton Bay and Sydney . . .	230
"Mary"	2nd July ,, .	Western Australia.	53
"Adelaide"	17th August ,, .	Van Diemen's Land and Port Phillip	300
"Eliza"	12th December ,, .	Norfolk Island .	60
"Bangalore"	31st December ,, .	Moreton Bay . .	297
		Total . .	1,476

In addition to these the "Appoline" conveyed 100, and the "Hercules" 49, male criminals to Public Works at Gibraltar, making a total of 1625.

RETURN showing the Number of Convicts Embarked, or who have been Pardoned, or Died, &c., during the Year 1850.

FINAL DISPOSALS.		PRISONS.							HULKS.						COUNTY AND BOROUGH PRISONS.								GRAND TOTALS.	
		Millbank.	Shorncliff.	Pentonville.	Portland.	Dartmoor.	Parkhurst.	TOTALS.	Warrior.	Justitia.	York.	Stirling Castle.	Defence.	TOTALS.	Wakefield.	Preston.	Leeds.	Leicester.	Northampton.	Bath.	Reading.	TOTALS.		
Embarked for	Van Diemen's Land.	1	.	4	528	.	185	718	158	76	203	217	14	668	.	.	.	.	.	.	.	.	1386	
	Western Australia	.	.	23	291	.	43	357	.	27	.	.	.	27	.	.	.	.	.	.	.	.	384	
	Norfolk Island .	25	.	.	.	.	.	25	8	1	.	.	.	9	4	.	.	.	.	.	.	4	38	
	Bermuda . .	15	1	109	.	.	.	125	44	24	40	51	.	159	.	.	.	.	.	.	.	.	284	
	Total Embarked	41	1	136	819	.	228		210	128	243	268	14		4	.	.	.	.	.	.		4	2,092
								1225						863										
Removed to	Lunatic Asylums	4	.	4	1	.	.	9	7	.	.	1	2	4	.	.	.	.	.	.	1	1	14	
	Philanthropic .	13	.	.	.	.	.	13	.	.	.	.	.	.	.	.	.	.	.	.	.	.	13	
Pardoned	Free	3	1	1	2	.	1	8	2	.	.	.	.	2	.	.	1	.	.	.	.	1	11	
	Conditional . .	9	.	1	1	.	.	11	.	2	1	.	.	3	4	.	.	2	.	.	.	6	20	
	On Medical Grounds.	7	37	3	.	.	.	47	1	2	.	5	50	58	.	.	.	.	.	.	.	.	105	
	On Expiration of a moiety of their sentence under an old rule.	.	2	.	.	.	.	2	4	5	21	9	70	109	.	.	.	.	.	.	.	.	111	
Escaped		.	.	1	2	1	.	4	5	3	.	.	.	8	1	.	.	.	.	.	.	1	13	
Deaths		22	17	7	9	.	2	57	8	6	2	6	26	48	9	1	.	1	.	.	.	11	116	
								151						232								20		403
		99	58	153	834	1	231	1,376	231	146	267	289	162	1,095	18	1	1	3	.	.	1	.	24	2,495

RETURN showing the Embarkations from the Convict Prisons in 1850, and the Distribution of the Convicts in the Colonies.

Date and Place of Ship's Leaving.	Names of Ships.	Surgeon Superintendent.	Religious Instructor.	Number, and from what Prisons removed.												Number, and their Destination.							Total Number of Females embarked.	Condition in the Colonies.		
				Convict Prisons.						Hulks.																
				Millbank.	Pentonville.	Parkhurst.	Portland.	Wakefield.	Total.	York.	Stirling Castle.	Warrior.	Justitia.	Defence.	Total.	Moreton Bay.	Western Australia.	Van Diemen's Land.	Norfolk Island.	Bermuda.	Total Number of Males embarked.		Tickets of Leave.	Public Works.	Incorrigibles.
1850																										
Feb. 27	"Scindian"	Dr. Gibson	Allowance for Schoolmaster.	.	.	.	75	.	75	.	.	.	.	.	.	.	75	.	.	.	75	.	.	75	.
March 23	"Blenheim"	C. H. Fuller, Esq.	Mr. Lindsey	. 14	. .	85 .	100 .	. 4	203	25 .	26 .	32 4	4 .	. .	91	. .	272 .	. 22	. .	294		272 .	. .	. 22
April 30	"Maria Somes"	J. G. Williams, Esq.	Mr. Williamson	1	2	30	85	.	118	51	47	30	7	4	139	.	.	257	.	.	257	.	257	.	.
April 30	"Baretto Junior"	R. W. Clarke, Esq.	Mrs. Gowland, Matron.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	190	.	.	.
July 5	"Nile"	Dr. Kidd	Mr. C. Cooper	.	2	30	132	.	164	42	44	37	3	10	136	.	.	300	.	.	300	.	300	.	.
July 19	"Hashemy"	. .	. .	.	.	.	100	.	100	.	.	.	.	.	.	.	100	.	.	.	100	.	.	100	.
August 12	"Wm. Jardine"	Dr. Cambell	Mr. A. W. Barry	. 11	. .	. .	100 .	. .	111	20 .	45 .	50 4	29 1	. .	149	. .	. .	244 .	16	. .	260		244 .	. .	. 16
August 12	"Rodney"	Dr. Le Grand	Rev. I. K. Walpole.	.	.	40	111	.	151	65	55	9	33	.	162	.	.	313	.	.	313	.	313	.	.
Oct. 25	"Emma Eugenia"	Dr. Bower	Mrs. Naylor, Matron.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	170	.	.	.
Dec.	"Mermaid"	A. Kilroy, Esq.	Allowance for an Instructor.	.	23	43	116	.	182	.	.	.	27	.	27	.	209	.	.	.	209	.	.	209	.
Dec.	"Sir Robt. Seppings"	J. Morris, Esq.	Mr. W. Barr	16	109	.	.	.	125	40	51	44	24	.	159	.	.	.	.	284	284	.	.	284	.
			Total	42	136	228	819	4	1229	243	268	210	128	14	863	.	384	1386	38	284	2092	360	1386	668	38

Treatment of Juvenile Offenders in France.

EXTRACT from the REPORT of the SPECIAL COMMITTEE appointed by the NATIONAL ASSEMBLY of FRANCE to consider the TREATMENT of JUVENILE OFFENDERS.

"GENTLEMEN,—The number of unfortunate children who are driven at an early age by misery, by vicious parents, or by their own bad dispositions, to begging, vagrancy, disorder, violence, or theft, as a means of livelihood, is unhappily very great. Thousands of these young offenders are confined within our *maisons d'arrêt* and our *maisons centrales.**

"The maisons d'arrêt receive, first, such children as are sent, by way of correction, at the request of the parents, in virtue of articles 376 and 377 of the civil code, for an imprisonment which must not exceed six months.† Secondly, therein are confined such children under sixteen years of age as are on remand from the correctional courts, awaiting either their summary conviction or their committal for trial at the courts of assize. And, thirdly, such children as are already condemned to an imprisonment that does not exceed one year.

"The *maisons de justice*, established in the chief towns, receive such children as are accused of crime, and who are sent for trial before the courts of assize.

"Finally, the *maisons centrales* receive and detain within their walls—

"Firstly, children under sixteen years of age acquitted as having acted '*sans discernement*' (as being, that is, ignorant of right and wrong), but sent, in virtue of the 66th article of the penal code, to a house of correction, there to be detained and educated during a certain number of years.

"Secondly, such children under sixteen years of age who are found guilty as having acted '*avec discernement*' (as having offended, that is, knowingly and wilfully), and who are sentenced to more than one year's imprisonment.

"As regards these children thus deprived of their liberty, the state is substituted by the law for the parent; it is not merely, as regards them, the power which enforces the law, but it becomes invested with a real guardianship. It has taken upon itself not only to keep these children, and then to return them to society void as they may be of education, and every intellectual and moral resource. No, its mission is more serious—it is necessary that it should educate them, and endeavour to reform their vicious dispositions, and to prepare them for a better course of life.

"In this point of view, which is one we cannot avoid, it is most essential that the *young* prisoners should be kept entirely *apart* from the *adults*, from whom they can but imbibe pernicious instruction; and that when brought into contact with them their intercourse should be strictly watched; and that, without relaxing the usual

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* Our houses of detention and of correction.

† Articles 376 and 377 of the civil code authorise a judge, upon the request of the parents, to issue a warrant to apprehend children under sixteen, and to put them in prison for a term not exceeding six months. See note A, at end of Report.

discipline of the prison, a kind of paternal tuition should be bestowed on them, based on moral and religious principles, so as to instil into their minds what is just and right, and to combat their bad inclinations.

"It is essential that they should be constantly employed at such work as will develop and strengthen their physical powers, and lessen the intensity of their passions; and that their employments should be such as will best prepare them for after life, both as to their personal wants and their social relations.

"Finally, it is a duty incumbent on the state, which has been substituted for the parent, to extend its paternal care to those children after their liberation, when without the walls of their prison, else all the result of the corrective education which society has sought to give the child will be too often lost. These are the duties of the state; but if we compare with them what is really done, we must acknowledge that they are but indifferently fulfilled.

"The penal code had in view the organization of a distinct system of discipline for these young offenders: whether they are condemned, or acquitted as having acted 'sans discernement,' it is still to the house of *correction* they are sent, in the former case to undergo a term of imprisonment of a more or less duration, and in the latter to be educated for a fixed period. A strong sense of the duties accompanying the relation of a guardian clearly influenced the legislator of 1810, and suggested to him the very arrangements of the 66th article of the penal code.

"In reality there does not exist a true house of *correction;* a corrective education is not really given. The children are merely subjected to the prison discipline, and are not educated. On the other hand, a too narrow economy has made questions of justice and high social interest subordinate to a question of money; for, as the maisons d'arrêt and centrales always existed, there was a saving of money in not building new ones, and in not creating a distinct system of management for juvenile offenders under sentence of detention. These children were, therefore, simply sent to the maisons d'arrêt and centrales to undergo the usual routine of the prison discipline of those gaols, no distinction being made in the treatment they receive from that applied to adults.

"For what purposes, then, in a moral point of view, do these prisons exist? The maisons d'arrêt, as the vestibules of the criminal and correctional prisons, allowing of a constant intercourse between the prisoners of all classes, from the petty cheat and the vagabond to the coiner and the assassin, are most dangerous abodes for such men even as are not entirely abandoned and lost in crime; how much more so for children so open to every new impression!

"What increases this danger is the extreme difficulty of establishing and maintaining a good discipline, constant habits of order, of silence, and of labour, in the midst of a population so varied, so changing, and which is renewed almost entirely many times in the year.

"But there are obstacles of construction and arrangement which help to aggravate this state of things. The maisons d'arrêt, situated in the centre of each judicial division, are for the most part old and

decayed buildings, originally intended for very different uses, and cannot without some expense be fitted to afford the numerous subdivisions into distinct departments necessary for the separation of male and female prisoners, of the accused and the condemned, the adults and the children of each different class. These prisons belong to the departments, and are maintained at their expense; and whenever the superior authorities have urged, for the sake of discipline, that these external means of classification should be provided, the Conseils Généraux have pleaded their want of means, and have almost always triumphed, by their *inertia*, over the laudable intentions of the government. The regulation of the larger part of these prisons continues most dangerous for the thousands of children that are every year confined in them.

"In the maisons centrales, which are the property of the state, and which of course are governed by its will and pleasure, all these difficulties of construction have been more easily surmounted. In such of these as contain juvenile offenders a distinct ward is reserved for them, called the ward of correction, and communication with the adult prisoners is made very difficult, if not impossible. Still these are prisons, with all the disgrace attached to the name, with their promiscuous mixture of vice and passion in the condemned wards—with their strict, not to say rough, discipline, which acts only by intimidation, which does nothing to raise up the fallen nature that it operates on, and which is especially powerless to penetrate and warm with honourable and religious feelings the souls of these poor children, deprived of all the happy influence of a home.

"Finally, by the present system, as applied to those unfortunate children under sixteen years, it is not obligatory for the government to take any care of them on their discharge from prison. On their liberation, a few clothes are given them, a trifle to help them on the road, and the portion of their earnings which the law entitles them to—and the government has done with them.

"Thus are they thrown on a world to which they have for some years been strangers, without the guidance of a home or friends, a prey to the temptations of those who surround them. Does not this explain how so many of these wretched children are unable to re-enter honest society, and are lost for ever?

"The defects of the regulations now in force in these prisons, particularly as applied to juvenile offenders, had struck the government itself, and several laudable efforts have been made to improve them.

"The Minister of the Interior, in 1832, issued circulars authorising the apprenticing of such young prisoners as should behave well and be applied for by master workmen.

"But latterly, when a lively feeling existed for a reform in the penitentiary system, and that the silent system enlisted many supporters, it was thought advisable to apply it to the young, more particularly with a view of separating these prisoners, and preserving them from the ordinary contagion of prisons.

"It was then that the house of correction called '*La Roquette*' was established, with its 500 cells to receive the young prisoners sentenced in the department of the Seine.

"In 1839, however, two devoted philanthropists, Messrs. de Courteilles and Demetz, sought in another way the solution of this problem. They founded at Mettray, near Tours, a colony of young prisoners with a view of placing them as it were once more under the paternal roof, and of educating them morally and religiously in the labours and habits of country life.

"The government at once understood the great benefits that would result from this new idea, and encouraged the establishment at Mettray, and sent to it a number of children. Very soon, when the example of Mettray had been imitated elsewhere, the government extended its support to these new establishments, and at this time there are about 2000 young prisoners in agricultural colonies, founded by private individuals. The government allows seventy centimes (7*d.*) per diem for each prisoner, and a further seventy francs (3*l.*) for their clothing for two successive years, which makes each prisoner cost the government about 80 centimes (8*d.*) per diem. This shows that the government acknowledges the defects of the system of correction adopted in the prisons of the state, that it has not confidence in its own establishments; it seeks the aid of private ones even at considerable sacrifices. Indeed it has done more, it has transferred the power which the law had given to the state alone to keep and educate these children, to those private institutions. This alone would remove all doubt, if any still existed.

"Under these circumstances, it is time that the legislature should interfere; it is time to recognise by law the system of corrective education and guardianship which the generous efforts of a few good citizens have initiated, and but of which only a few of our young prisoners have as yet the benefit.

"The maisons d'arrêt, meanwhile, could remain as receptacles for such children as are under preventive detention, or as are condemned to an imprisonment not exceeding six months. For so short a period it would be useless to send them to the new establishments; nevertheless, by our proposed law it is enjoined that the maisons d'arrêt should be so arranged as to keep a distinct ward for juvenile prisoners, to keep them entirely apart from the adult class, to separate them from each other at night, and to train them up under the regulations of the silent system, in habits of labour, morality, and religion. The proposed law further submits that such young prisoners as are condemned to an imprisonment for a longer period than six months should be transferred to these reformatory colonies. In this respect the committee do not propose any new plan, nor do they take the responsibility of suggesting anything but what practice and experience has warranted. The committee have had before their eyes the establishments which have been tried for ten years, under the sanction of the government; and they have only to ascertain whether the agricultural colonies, of which Mettray is the most complete and earliest type, rest on a sure basis, if their object is useful, and if under ordinary circumstances it is possible to attain it.

"It does not enter within the scope of this Report to enumerate in detail the various elements of Mettray. Our duty is simply to state, that in the opinion of all the best observers who have visited it, whether foreigners or Frenchmen, an opinion in which from our

own personal observation and experience we entirely concur, the problem of the reformation of juvenile offenders by agricultural labour, under a strict system of discipline and kindness, is completely solved.

"Five hundred children sent from the maisons centrales are brought up at Mettray. They need no military force, nor even walls, to keep them within its bounds, and it is seldom a boy runs away. Divided into families of forty, under the direction of a chief appointed to each division, and under the protection of an elder brother elected by themselves, they are subjected to a paternal kind of discipline, which by the twofold action of honour and religion tends to awaken in their souls good thoughts and generous emotions, and, with the exception of a short time which is reserved for their elementary instruction, they are employed throughout the day at the various labours of the farm, such as the care of the cattle and implements, gardening, the improving of the soil, the trenching and cleaning the land, the harvest, &c. Their mode of life is hardy, but not too fatiguing. It gives them health, strong constitutions, and in most cases cures them of those diseases with which they had been tainted from their birth.

"When the period of their liberation has arrived, they are sought for by the proprietors and farmers of the neighbourhood. The authorities of Mettray find much facility in placing them: the greater number get employment as farm-servants, carmen, gardeners, &c. &c.; and those who have been taught the trades particularly connected with agriculture are placed in the villages as wheelwrights, smiths, carpenters, &c. &c.

"Finally, a number of them become soldiers or sailors, and are known to have served with honour. In the beginning of 1848 there were 101 in the army, and 22 in the navy.

"The founders of Mettray were alive to the effect the sudden transition from a penitentiary life to one of freedom must produce on the youths; for at this moment they would stand most in need of help and advice.

"Thus the authorities of Mettray extend their protection over them throughout this time of trial; and if, perchance, they are out of work, sick, or borne down by poverty, the colony is always open to them, as their home—an asylum of comfort and help.

"True it is that at Mettray some have been found whose stubborn disposition the discipline of the colony could neither conquer nor soften. Many of these youths on being placed out have committed fresh crimes, and incurred the rigour of the law; but the proportion is indeed trifling, and does not exceed 5 per cent.

"The experiment so successfully made at Mettray has equally succeeded in the other private establishments of the like kind that receive the help and approbation of government: everywhere, independently of the particular method of education pursued, out-door life and agricultural employment have had a happy influence on the moral feeling and the docility of the young prisoners.

"To sum up, being convinced from our inquiry into all the facts, and the agreement of the results from every quarter, the committee does not hesitate to give its opinion in favour of the agricultural

penitentiary system, as applied to young offenders; and concludes that the division of these children into small numbers, and the employment of their time in agriculture under firm religious and benevolent treatment, is the most certain mode of regenerating them.

"It now remains to ascertain whether the government should take under its charge the establishing and maintaining these penitentiary colonies, which the system adopted by the committee will require, or if it prefers to encourage and aid, by grants of money, private institutions founded by benevolent individuals.

"In justice to the interest of the children who are in the houses of correction, it is imperative that a distinction be made between those unfortunate children arrested for trifling faults, and those young prisoners of precocious depravity who have sometimes been guilty of murder, incendiarism, and the like—such, in fact, as are in general condemned by the courts of assize to an imprisonment of several years; and the committee think it important for the not casting a moral disgrace upon the Reformatory Colony, and for the not exposing children of better character to dangerous associations, that those who are condemned for more than two years should be imprisoned in special establishments.

"On the other hand, in the number detained in our penitentiary colonies, there will be of necessity a mixture of bad characters, on whose tempers no salutary treatment has effect; for those, more severe measures must be enforced, and they must be separated from a family of which they would endanger the peace and happiness by their bad example. To attain that object the committee proposes, for the benefit of both classes of these offenders, to found in Algeria one or more correctional colonies, where, under a more strict discipline, and far from their country and homes, such of these offenders should be sent whose moral reformation should require a stricter treatment.

"In the first place, they would have to undergo an imprisonment of six months; would then be set to works of husbandry. When they are liberated, inured to the climate, and accustomed to the culture of the African soil, they might find in that country employment for their labour, and their practical knowledge at once profitable to themselves and useful to the colony.

"Such, gentlemen, is the spirit in which the measure which we propose for the benefit of juvenile prisoners, and which we now beg to submit to your consideration, has been framed.

"It is a most essential object of public aid and foresight to assist the poor abandoned children who have been enticed to take the first steps in crime; to prepare them to re-enter life with their minds free from all the vicious inclinations that would ultimately cause their ruin; to restore them also to society as honest and industrious farm-servants, instead of sending them back again to crowded cities, ready as they are to wage war against society and the law. In the limits assigned to us, the moral education, the great object of protecting and reforming of these young offenders, quite supersedes the question of their mere repression. It is beyond this that the penitentiary system commences.

"THE PROPOSED LAW.

"*Article* I.—In each department of France the protection of juvenile offenders shall be undertaken by the state: such protection shall be applicable,—

"1. To minors imprisoned correctionally at the request of their parents, by virtue of Articles 376 and 377 of the 'Code Civil.'

"2. To young prisoners having been acquitted by virtue of Article 66 of the 'Code Pénal,' as having acted 'sans discernement,' without knowledge of right and wrong.

"3. To young prisoners condemned by virtue of Articles 67, 68, and 69 of 'Code Pénal.'

"*Article* II.—This protection consists in sheltering these young offenders from dangerous associates, either during their provisional imprisonment or during their stay in the penitentiary institution; in taking care that they are instructed religiously, morally, and in some art or calling; and in affording them when liberated the protection of the state during a space of three years at least.

"*Article* III.—A distinct part of the 'maison d'arrêt' shall be allotted for the keeping of these young offenders of all grades.

"They are to live together, under the rules of the silent system: means are to be enforced for their elementary instruction, and also to provide for their manual labour; at night they are to be kept separate.

"*Article* IV.—Young offenders sentenced to an imprisonment of more than six months and not exceeding two years, and young offenders acquitted as having been guilty, but as having acted 'without discernment,' are to be sent to a penitentiary colony; there to be brought up in association under strict rules of discipline, being employed in works of husbandry, and in the branches of industry connected with it. They are also to receive elementary instruction.

"*Article* V.—The penitentiary colonies shall be either public or private establishments. The public ones shall be such as are founded by government, and of which it appoints the directors. The private ones shall be those founded and regulated by private individuals, under the sanction of government.

"*Article* VI.—During the two years after the publication of this law, such individuals or societies as may be willing to establish penitentiary colonies for young offenders shall apply formally to the Minister of the Interior for his authorization, producing the plans, statutes, regulations, and other required documents.

"The minister shall be enabled to contract with such of these establishments as are authorised for the care and the instruction of a fixed number of young prisoners.

"If, at the expiration of the two years, the whole number of these young offenders have not been placed in private establishments, then other colonies for that purpose shall be established at the expense of government.

"*Article* X.—On the Algerian territory will be established one or more correctional colonies for the reception,—

"1. Of such young offenders as are sentenced to an imprisonment of more than two years.

"2. Of those whose insubordinate disposition requires their removal from the colony in France.

"This declaration is to be made, on the proposal of the director, by the 'Conseil de Surveillance,' and submitted for the approbation of the Minister of the Interior.

"*Article* XI.—The young offenders in the correctional colonies will be, during the first six months, subject to imprisonment with solitary confinement during the night, will be under the silent system, and be employed in sedentary occupations.

"After this lapse of time the directors may, if their conduct be good, admit them to the agricultural pursuits carried on in the colony.

"*Article* XIX.—All expenditure attending the formation and the keep of the correctional colonies, and all such-like establishments serving for the use of the penitentiary system, and all pecuniary grants for private establishments in which are kept young offenders, shall be borne by the state.

"Note A.—The following are the Articles of the Penal and Civil Codes referred to in the Report:—

"Code Pénal, Article 66.—'Lorsque l'accusé aura moins de 16 ans, s'il est decidé qu'il a agi sans discernement, il sera acquitté; mais il sera, selon les circonstances, remis a ses parents, ou conduit dans une maison de correction, pour y être élevé, et détenu pendant un temps déterminé par le jugement, et que toutefois il ne pourra excéder l'époque où il aura accompli sa vingtième année.'

"Code Civil, Article 376.—'Si l'enfant est âgé de moins de 16 ans commencés, le père pourra le faire détenu pendant un temps qui ne pourra excéder un mois; à cette effet le président du tribunal d'arrondissement dévra sur sa demande délivrer l'ordre d'arrestation.'

"Code Civil, Article 377.—'Depuis l'âge de 16 ans commencés jusqu'à la majorité, ou l'émancipation, le père pourra seulement réquerir la détention de son enfant pendant six mois au plus: il s'adressera au président du dit tribunal, qui, après en avoir conféré avec le procureur du roi, délivrera ou refusera l'ordre de l'arrestation; et pourra dans le premier cas abréger le temps de la détention requis par le père.'"

Improvement of Prison Discipline in England.

The Select Committee appointed to inquire into the Rules and Discipline established with regard to the Treatment of Prisoners in Gaols and Houses of Correction in England and Wales, and into any Improvement which can be made therein, and who were empowered to report their Observations and Opinion thereupon, together with the Minutes of the Evidence taken before them, to the House, have examined the Matters to them referred, and have agreed to the following Resolutions:—

Resolved—

1. That many prisons have been rebuilt or materially altered since 1835, by which uniformity of construction has been extensively promoted, and that the internal discipline of prisons has been materially improved, but that great variety of construction and discipline still exists.

2. That this Committee concurs in the opinion expressed by former Committees of both Houses of Parliament, that such variety is a great evil; and considers it desirable that the Legislature should intrust increased powers to some central authority, of enforcing uniform adherence to rules laid down from time to time by Parliament in these respects.

3. That such increased powers would be best exercised by a Board, subject to the authority of the Secretary of State.

4. That this Committee also concurs in the opinion expressed by a Committee of the House of Lords in 1835, that entire separation, except during the hours of labour and of religious worship and instruction, is absolutely necessary for preventing contamination, and for securing a proper system of prison discipline; and this Committee is of opinion that, with this view, every prison ought to contain such a number of cells as would enable each prisoner to be kept separate, by day as well as by night, both before and after trial.

5. That where it may be necessary to bring prisoners together during the hours of labour, instruction, and divine worship, effectual means ought to be taken to prevent any intercourse between such prisoners.

6. That individual separation of prisoners, termed "the separate system" of imprisonment, contemplated in the 2 & 3 Vict. c. 56, has been adopted in Pentonville prison, and in many county and borough prisons.

7. That this Committee has received much evidence both as to the mode of applying this system, and as to its results.

8. That this Committee regrets to have found a want of uniformity in some important particulars in the mode of applying this system in different prisons, which they think ought to be remedied.

9. That, while the evidence as to the results of the system is in some respects conflicting, the great preponderance of evidence, including that of almost all the visiting justices and officers of the prison in which it has been in operation, and who have been examined by this Committee, is highly favourable to it, and this Committee is of opinion that if conducted under proper regulations and control separate confinement is more efficient than any other system which has been yet tried, both in deterring from crime and in promoting reformation.

10. That individual separation ought to be applied to all prisoners before trial, as it is essential in an especial degree that such prisoners should be secured from all intercourse with other prisoners, and the only mode by which this object can be properly attained is by their individual separation, under such modifications as are consistent with due consideration of the fact that they are committed for safe custody, and not for punishment.

11. That individual separation ought to be continuously applied to all prisoners under all sentences of imprisonment not exceeding three months, and not being subject to physical or mental disqualification.

12. That it ought also to be applied to prisoners under long sentences during the earlier period of their imprisonment, but this

Committee does not recommend that it should in ordinary cases be enforced for a longer period than 12 months.

13. That hard labour is not incompatible with individual separation, and that where they have been tried in combination, as in the county prison at Leicester, the effect has been remarkable in the decrease of the number of committals, especially under the Vagrant and Malicious Trespass Acts.

14. That after prisoners under long sentences have undergone a period of separate confinement, the remainder of their sentences ought to be passed under a system of combined labour, with effectual precautions against intercourse.

15. That this object would be greatly facilitated by the erection of district prisons, at the national cost, for the reception of prisoners under long sentences, after they have undergone such previous separate confinement.

16. That such district prisons should be maintained at the national cost, and the government of such prisons, and all appointments and salaries of officers, ought to be under the control of Her Majesty's Government.

17. That if this plan were adopted an alteration of the law might, in the opinion of this Committee, be usefully made, in order to substitute, in many cases, for short terms of transportation, longer terms of imprisonment than are now sanctioned by law.

18. That this Committee does not feel justified, without longer time for the consideration of such extensive details, in attempting to pronounce a definite opinion upon the plan which has been submitted to them, with much ability and laudable exertion, by Mr. Pearson; but they consider that plan to be entitled to serious consideration by any department of Her Majesty's Government to which the regulation of prisons may be intrusted, and especially in connexion with the recommendation for the establishment of District Prisons.

19. That the Committee concurs with some of the most experienced witnesses they have examined, in the opinion that a great majority of convicted prisoners are open to the same good motives and good impulses which influence other human beings, and therefore that a system of encouragement to good conduct, and endeavours to inspire feelings of self-respect, self-reliance, and hopefulness for the future, which have been tried in some of our largest establishments, ought to be adopted, so far as it is practicable without impairing the penal and deterring character essential to any system of imprisonment.

20. That in regard to some of the details of discipline which have been brought before them, this Committee recommends that the means of lighting every cell, except cells for an infraction of prison rules, ought to be provided in every prison, and that no prisoner ought to be left in darkness for more than a maximum time which can be required for rest, viz. eight hours.

21. That the diet should invariably be kept as low as is consistent with the health of the prisoners.

22. That no more artificial warmth should be introduced in prison cells than is absolutely requisite for the preservation of health.

23. That while it is desirable to prevent the consequences arising from the mutual recognition of prisoners, this Committee does not think it expedient to recommend the adoption of any general rule in that regard.

24. That under any system of discipline the best practicable arrangements should be made for the instruction of all prisoners in their religious and moral duties.

25. That provision ought to be made in every prison for enforcing sentences of imprisonment with hard labour.

26. That the discipline in respect of prisoners confined for debt requires amendment.

27. That on the interesting question of what system of prison discipline is best adapted to juvenile offenders, this Committee has not received sufficient evidence to enable them to offer distinct recommendations; but they are of opinion that a larger amount of industrial training and reformatory discipline may advantageously be adopted in their case than in that of ordinary criminals.

29 *July*, 1850.

The Select Committee above referred to was composed of the following Members of the House of Commons.

Sir George Grey, Secretary of State for the Home Department.
Mr. Edmund Denison.
Mr. Charles Pearson.
Sir Henry Halford, Bart.
Mr. Sotheron.
Mr. Alderman Sidney.
Mr. Bankes.
Hon. Capt. Pelham.
Mr. Peto.
Viscount Mahon.
Sir Edward Buxton, Bart.
Mr. Robert Palmer.
Sir John Pakington, Bart.
Mr. Armstrong.
Mr. Monckton Milnes.

Extracts from the Report of the Committee on Military Prisons, referring to Classification of Prisoners.

For the purpose of affording a clearer notion of their views as respects both classification and hard labour, the Committee beg to submit the following extracts from the rules which they propose upon those subjects:—

"The prisoners (except during the period or periods of their solitary confinement) shall be divided into three classes, to be called the First, Second, and Third Classes, respectively.

"The Governor will bear in mind that the object of classification is, first, to protect the young soldier and the less hardened offender from the mischievous consequences of association with worse characters; and, secondly, to hold out an inducement to all the prisoners to behave well in prison, by the hope of reward and the fear of punishment,—in being either promoted to a higher class, or degraded to a lower one.

"The First Class shall be composed of those prisoners who, from their quiet orderly habits, and general good conduct under punishment, may appear deserving of being promoted from the Second Class, after some experience has been gained of their characters.

"In like manner, prisoners in the Third Class will, by good conduct, be eligible for promotion to the Second Class.

"Prisoners in either the First or Second Class will also be liable to be removed to a lower class for misconduct.

"The Classes will be distinguished by badges marked as First, Second, or Third Class, attached to some conspicuous part of the prison dress."

MILITARY PRISONS.

In working out this principle the following rules have been applied:—

The first class of prisoners shall be employed at Hard Labour during the same hours as those prescribed for the second class, but it shall be of a *different and less severe description.*

The prisoners of the second class shall be employed during the prescribed hours at Hard Labour. After the hours of labour, they shall be permitted to read or receive instruction, under the superintendence of an officer, till bedtime.

The prisoners of the third class shall be employed during the prescribed hours at Hard Labour. They shall remain under constant superintendence, and, from six o'clock P.M., or after dark, shall be employed at light labour in picking oakum till eight o'clock, or in such other work, of a similar nature, as may be determined by the visitors.

The distribution of time has been as follows:—

On week-days the prisoners shall be dressed at 6 o'clock A. M., and their work through the day, if under sentence of Hard Labour, shall be regulated by the order of the Governor, with due consideration of light and weather, as regards the time of open-air and in-door employment, and shall consist of drill, gun, or shot exercise, carrying, piling, and cleaning shot, breaking stones, cleaning the yards, passages, privies, and other parts of the premises, picking oakum, and such other modes of employment as may from time to time be introduced under the sanction of the Visitors. Unless under special authority of the Secretary at War, the prisoners of the first and second classes shall be engaged in the foregoing manner from 6 o'clock A. M. to 6 o'clock P. M., and those of the third class from 6 o'clock A. M. to 8 o'clock P. M., with the exception of regular times for parades, chapel, meals, and rest.

DARTMOOR PRISON.

Daily Return of the Employment of Convicts, June 24, 1851.

Where Employed.	DESCRIPTION OF WORK.	Smiths.	Carpenters.	Coopers.	Sawyers.	Wheelwrights.	Masons.	Stonecutters.	Slaters.	Plasterers.	Plumbers.	Oakum-pickers.	Painters.	Agriculturists.	Labourers.	Cooks.	Shoemakers.	Tailors.	Sick and under Punishment.	Total Number.	Remarks.
No. 1 Prison	Picking oakum, painting, cleaning, lime-whiting, &c.	.	.	.	.	.	.	.	2	.	.	11	4	.	6	.	.	.	.	23	
,,	Making towels, repairing boots, shoes, clothing, &c.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	16	11	.	27	
,,	Preparing and fitting-up water-closets at north-west corner	.	2	.	.	.	.	.	.	.	2	.	2	.	2	.	.	.	.	8	
No. 2 Prison	Repairing roofs, slating, fixing draining for cells, &c.	.	5	.	.	.	.	.	2	.	.	.	.	.	4	.	.	.	.	11	
,,	Preparing and fitting-up iron-work for cells, &c.	18	.	.	.	.	.	.	.	.	.	.	.	.	4	.	.	.	.	22	See dissected daily return.
,,	Smith's shop, preparing iron-work generally for roofs, chains, bars for cells, nuts, bolts, repairing retorts, &c.	19	.	.	.	.	.	.	.	.	.	.	.	.	5	.	.	.	.	24	
No. 3 Prison	Clearing out and scouring upper floor, painting, &c.	.	.	.	.	.	.	.	.	.	.	.	4	.	8	.	.	.	.	12	
,,	Preparing and fixing store-rooms	.	3	.	.	.	.	.	.	.	.	.	1	.	2	.	.	.	.	6	
No. 5 Prison	Building, repairing, and making-good roof next chapel; making good walls, &c., over drying-room, laundry, bread-store, &c.; plastering kitchen	.	5	.	.	.	.	.	.	6	.	.	.	.	7	.	.	.	.	18	
Peat-house	Pointing walls, laying gutters, fixing skylights, &c.	.	4	.	.	.	4	2	1	.	2	.	.	.	14	.	.	.	.	27	
Chapel roof	Repairs generally	.	2	.	.	.	.	.	2	.	.	.	1	.	4	.	.	.	.	9	
No. 6 Prison	Carpenter's shop; preparing doors for officers' quarters, barracks, sashes and frames for working flooring, &c.	.	7	3	.	2	.	.	.	.	.	.	1	.	3						
,,	Preparing doors, &c., for clock-tower and offices	.	4	.	.	.	.	.	.	.	.	.	.	.	.						
,,	Prison forms, tressels, &c.	.	6	.	.	.	.	.	.	.	.	.	.	.	.						
,,	Putting up peat-house	.	7	.	.	.	.	.	.	.	.	.	.	.	.						
,,	Making tax-cart, and fitting up lathe	.	3	.	.	.	.	.	.	.	.	.	.	.	.						
,,	Sawyers, cutting deals for general purposes	.	.	.	15	.	.	.	.	.	.	.	.	.	.	.	.	.	.	15	
,,	Agriculturists, draining and trenching land, sowing, weeding, and cutting peat, with general work	.	.	.	.	.	.	.	.	.	.	.	.	.	180	.	.	.	.	180	
,,	Out-boundary wall of land; general repairs	.	.	.	.	.	4	.	.	.	.	.	.	.	14	.	.	.	.	18	
No. 8 Prison	Clearing rubbish, attending masons, drawing stone, &c.	.	.	.	.	.	.	.	.	.	.	.	.	.	16	.	.	.	.	16	
Sand-pit	Raising and screening sand	.	.	.	.	.	.	.	.	.	.	.	.	.	10	.	.	.	.	10	
In Barracks	Sick, cooking, and confined	.	.	.	.	.	.	.	.	.	.	.	.	.	.	6	.	.	15 3	24	
															TOTAL	.	.	.	.	486	

T. W. DUNN, *Clerk of Works.*

Great Britain.

A Return of the Number of Male Convicts Sentenced to Transportation in *Great Britain*, in each of the Twelve Years ending on the 31st of December last; of the Number sent Abroad in each of the same Years; of the Number detained in *Great Britain* on the 1st of January in each of the last Twelve Years, including 1851; of the Number who have made their Escape in each of the same Years, or who have been Pardoned in each of the same Years on Medical grounds, or otherwise.

Year.	Number Sentenced.	Number sent Abroad.	Number Detained on the 1st of January.	Number Escaped.				Number Pardoned.					
				From the Hulks.	From Parkhurst and other Prisons.	Number Retaken.	Total Escaped.	On Expiration of Moiety of Sentence, or on Special Grounds.			On Medical Grounds.		
								Hulks.	Other Prisons.	Total.	Hulks.	Other Prisons.	Total.
1839	3523	2576	2386	1	6	6	1*	219	30	249	..	16	16
1840	3921	2570	3239	1	5	5	1*	208	36	244	..	8	8
1841	3560	2455	4284	1	3	3	1*	257	25	282	..	10	10
1842	3921	4085	5050	1	6	6	1*	435	46	481	..	18	18
1843	3893	2881	4302	1	4	4	1*	860	36	896	..	9	9
1844	3195	3085	3719	..	18	18	0*	576	123	699	..	14	14
1845	2841	2964	3479	1	10	10	1*	426	46	472	..	4	4
1846	2763	1856	2912	..	4	4	0*	571	72	643	..	2	2
1847	2856	1213‡	3357	1	3	3	1*	676	64	740	40†	9	49
1848	3152	1338‡	3778	13	20	20	0*	234	30	264	4†	19	23
1849	2813	1625‡	4846	7	35	34	8*	122	51	173	27†	56	83
1850	†2256	2092‡	5931	9	20	16	13*	77	31	108	17†	47	64
1851	..	..	6191	..	..	..	..	..	..	..	..	..	..

* This Number includes only the Convicts Sentenced in England, the Returns for Scotland for the Year 1850 not being yet completed.

† Includes the Invalid Hulk.

‡ The above numbers include the following, who only went to Public Works at Gibraltar and Bermuda:—1847, 300; 1848, 471; 1849, 149.

N.B.—The Pardons granted from 1839 to 1847 inclusive comprise a large number of Convicts sent home from Bermuda, for the purpose of being released. Since the latter year the practice has been altered, and Convicts at Bermuda who are pardoned are now discharged direct from the Colony. No separate account was kept on board the Hulks, prior to 1848, of Convicts Pardoned from thence on Medical grounds.

Appendix II.

Ireland.

A Return showing for *Ireland* the Number of Male Convicts Sentenced to Transportation in each of the Twelve Years ending on the 31st day of December, 1850; the Number sent Abroad in each of the same Years; the Number detained in *Ireland* on the 1st day of January in each of the last Twelve Years, including 1851.

Year.	Number Sentenced to Transportation in each Year.	Number sent Abroad in each Year.	Number detained in Ireland on the 1st of January in each Year.
1839	882	931	185
1840	744	710	103
1841	596	550	109
1842	718	730	117
1843	523	485	84
1844	522	369	99
1845	473	558	232
1846	536	362	110
1847	1,894	450	263
1848	2,176	855	1571
1849	2,484	636	2627
1850	1,418	575	3537
1851	..	..	3945
Total . .	12,966	7211	..

Appendix III.

NOTICE to PRISONERS under SENTENCE of TRANSPORTATION.

Separate Confinement.

Prisoners may be recommended for removal on special grounds at any time, but in ordinary cases they will be detained in separate confinement for twelve months.

The conduct and character of each prisoner will be carefully watched and noted. Deserving prisoners will receive a good-conduct badge to be worn on the dress after they have been a certain time in the prison.

On removal from the prison to Public Works, prisoners will be placed in one of three classes according to the report of their character, industry, and moral improvement, while in separate confinement.

Prisoners who are deemed to be incorrigible will be specially dealt with.

First class prisoners removed to Public Works will, by continued good conduct, become eligible to be recommended for embarkation at the periods noted in the following scales.

Second class prisoners will be liable to three months, and third class prisoners to six months' additional detention beyond the period fixed for the detention of first class prisoners.

NOTICE to CONVICTS UNDERGOING a SECOND PROBATIONARY PERIOD of DISCIPLINE on PUBLIC WORKS.

Ordinary Periods of Detention on Public Works in this Country, proportioned to the Terms of different Sentences for Convicts who have previously passed Twelve Months in separate confinement.

Scale No. 1.

A Prisoner sentenced to	7	Years,	for a period not less than	2	Years.
Ditto	10	,,	,,	3½	,,
Ditto	15	,,	,,	6	,,
Ditto	20	,,	,,	8½	,,
Ditto	Life*		,,	10½	,,

If a prisoner has been more or less than one year in separate confinement, the difference will be deducted or added to these periods.

These periods, together with the previous term passed in separate confinement, and the time occupied in the voyage, are calculated to make up about half the period of sentence.

It is, however, to be clearly understood, that it is only in cases of prisoners conducting themselves in a *satisfactory* manner, that any such remission of their sentence can be recommended, and that they can only be embarked as opportunities offer, and as may be convenient to the public service.

As a further encouragement, however, such prisoners as conduct themselves in an *exemplary* manner, and who shew by their general demeanour and willing industry, that they have profited by the instruction they have received, and

* In the above scale a sentence for life is reckoned at 24 years.

are likely to become useful members of society when released from penal discipline, will be eligible to be specially recommended to the Secretary of State at the expiration of a period short of that on the foregoing scale, but not less than according to the following Scale No. 2.

Minimum Period of Detention on Public Works, applicable to Prisoners whose Conduct is Exemplary.

Scale No. 2.

A Prisoner sentenced to	7 Years,	for a period not less than	1 Year.
Ditto	10 ,,	,,	$1\frac{3}{4}$,,
Ditto	15 ,,	,,	3 ,,
Ditto	20 ,,	,,	4 ,,
Ditto	Life*	,,	5 ,,

If a prisoner has been more or less than one year in separate confinement, the difference will be deducted or added to these periods, as before explained.

In order that every prisoner may be aware of his situation, and the effect which his conduct may have in diminishing or extending his period of probationary discipline, records of his conduct, character, and industry will be kept by the Governor, Chaplain, and other Officers, which will be examined monthly (or oftener if required), and the results communicated to the prisoner.

If a prisoner's conduct has been in all respects *exemplary* during the month, he will receive a badge to be worn on his arm, which, if not forfeited by subsequent misconduct, will afterwards enable the Director to recommend him for a remission of one month of the period of detention set forth in Scale No. 1.

Thus a prisoner under sentence for seven years, who had passed twelve months in separate confinement, would, by exemplary conduct for twelve months on Public Works, place himself in a position to be specially recommended for twelve months' remission of the period laid down in Scale No. 1, and might thus become eligible for embarkation in the minimum period of twelve months, as laid down in Scale No. 2.

Or a prisoner under Sentence for ten years, having passed a like period in separate confinement, conducting himself in an exemplary manner, would place himself in a position to be recommended for embarkation in the minimum period of One year and Three-quarters, as laid down in Scale No. 2, instead of being detained Three years and a Half as prescribed for ordinary cases in Scale No. 1. Prisoners entitled to a less number of badges would be eligible for recommendation at some intermediate period.

Penalties.

Prisoners persevering in misconduct, or who are idle and negligent, and have been in consequence passed over, when they might by a different course have entitled themselves to be recommended for embarkation, will be liable to serve a further and longer period of probation on Public Works in a Penal or other Colony, or they will be liable to be sent back to separate confinement, forfeiting the time already served, and again commencing their periods of probation.

Prisoners who shall commit any act of outrage, or insubordination, or who

* In the above scales a sentence for life is reckoned at 24 years.

shall attempt to escape, or persist in general misconduct, will thereby forfeit all claim to any indulgence or remission of their sentences, and will render themselves liable to be transported to a Penal Colony, where they will be placed under discipline in its severest form.

Tickets-of-Leave.

1. Rules and Regulations for the maintenance of good order among Ticket-of-leave holders are framed and promulgated in the Colony. The following are at present some of their principal conditions, but it must be distinctly understood that they are liable to be varied as may be judged to be necessary and proper by the authorities on the spot:—

2. A convict embarked from this country as a Ticket-of-leave holder will not pass out of the custody of the Government in the Colony, until he shall be engaged, for at least a year, for service with some private employer, who shall be responsible for making a certain payment, as hereafter explained in paragraph 5. If suitable service cannot be obtained, the convicts will be employed by Government at wages, out of which they will receive clothing and rations. A small proportion will be paid to them in money, and the remainder credited towards the liquidation of the amount required to be paid to the Government.

Until the amount is paid, a convict will only be entitled to a probationary Ticket-of-leave, but the full privileges of a Ticket-of-leave will be granted, as soon as he shall have paid the sum required, provided his conduct has been in all respects satisfactory.

3. The Ticket-of-leave holder is required to remain in a particular district, within which he may hire himself out for wages—this is usually a country district, and he must not quit it without obtaining a pass from the Magistrate; he must register his place of residence and any change of it; he must be at his own dwelling from ten o'clock at night until day-break; and he must report himself at certain periods in the year at the police-office of his district. For some classes of offences he is liable to summary jurisdiction, and his Ticket-of-leave may be recalled for misconduct, in which case he will be subjected to Penal Labour.

Conditional Pardons, Payments, &c.

4. Prisoners holding Tickets-of-leave in a Colony may, by continued good conduct, become eligible for a conditional pardon, after the lapse of certain periods from the time of landing in the Colony, proportioned to the respective terms of transportation. Such pardon will restore them to liberty on condition of their not returning to this country, during the term of their original sentence, unless some special condition is attached to the pardon. These periods will be proportioned to the respective sentences, according to the following scale:—

7	Years, Men	$1\frac{1}{2}$	Year.
10	,,	2	,,
15	,,	3	,,
20	,,	4	,,
Life		5	,,

5. Prisoners, however, will be required to pay a certain sum to the Government in the Colony, before such conditional pardon is granted. This sum will

have to be reckoned as follows:—a certain rate of annual payment to be made by prisoners will be named in the Colony, which will be not less than 3*l.*, nor more than 5*l.* a-year, and the whole sum to be paid by each prisoner may then be calculated from the above scale, viz.:—

7 Years,	Men	$1\frac{1}{2}$	year's payment
10 ,,	. . . . .	2	,,
15 ,,	. . . . .	3	,,
20 ,,	. . . . .	4	,,
Life	. . . . .	5	,,

6. The privilege of holding a probationary Ticket-of-leave, or other remission from penal labour, may be forfeited by misconduct on the voyage.

Families of Convicts.

The wives and families of Ticket-of-leave holders may be sent out to them, when half the cost of the passage has been paid by themselves, or by their friends, or parishes in the United Kingdom. It will be requisite, however, that such families should be supplied with sufficient clothing for the voyage, at their own expense, in like manner as all free emigrants.

Any sums paid by Convicts to the Government under the preceding regulations, will be accepted as part of the contribution towards taking out their families.*

* Under the present regulations, the wives and families of well-conducted convicts holding tickets-of-leave are embarked on payment of 7*l.* 10*s.* for a wife; the same sum for every child above 14 years old; and 3*l.* 15*s.* for every child under 14 years old.

OR PRISON.

BLOCK PLAN.

Plate 1.

COTTAGE

GARDEN

DWARF WALL

FIELDS

PRISON FIELDS

BURIAL GROUND

CHAPEL

BATHING POND

No. 5 PRISON APPROPRIATED AS A CARPENTERS SHOP.

BAKERY AND WASH HOUSE

PASSAGE

KITCHEN

STEAM BOILERS.

DOOR

YARD

BATHS

No. 4 PRISON CONTAINING 248 CELLS

OFFICES

PASSAGE

SURGERY

GUARD ROOM

No. 3 PRISON 389 HAMMOCKS

No. 6 PRISON APPROPRIATED AS A MASONS SHOP

ENTRANCE OFFICES AND CLOCK TOWER.

GATEWAY

PASSAGE

SMITHS SHOP

No. 2 PRISON CONTAINING 324 CELLS.

GATE

PARADE

COURT

No. 7 PRISON UNAPPROPRIATED

No. 1 PRISON FOR INVALIDS ACCOMMODATION 339

GASOMETER

STORES

MILITARY GUARD

COOK HOUSE

OFFICERS QUARTERS

CARDEN

COTTAGES

OFFICERS QUARTERS

ENTRANCE

GOVERNOR

PRISON STABLE

GOVERN. STABLE

ROAD TO TAVISTOCK

ROAD TO PRINCE TOWN

WATER RESERVOIR

SUMMARY OF ACCOMMODATION.

No. 1 Prison	339
" 2 "	324
" 3 "	389
" 4 "	248
Total	1300 Prisoners

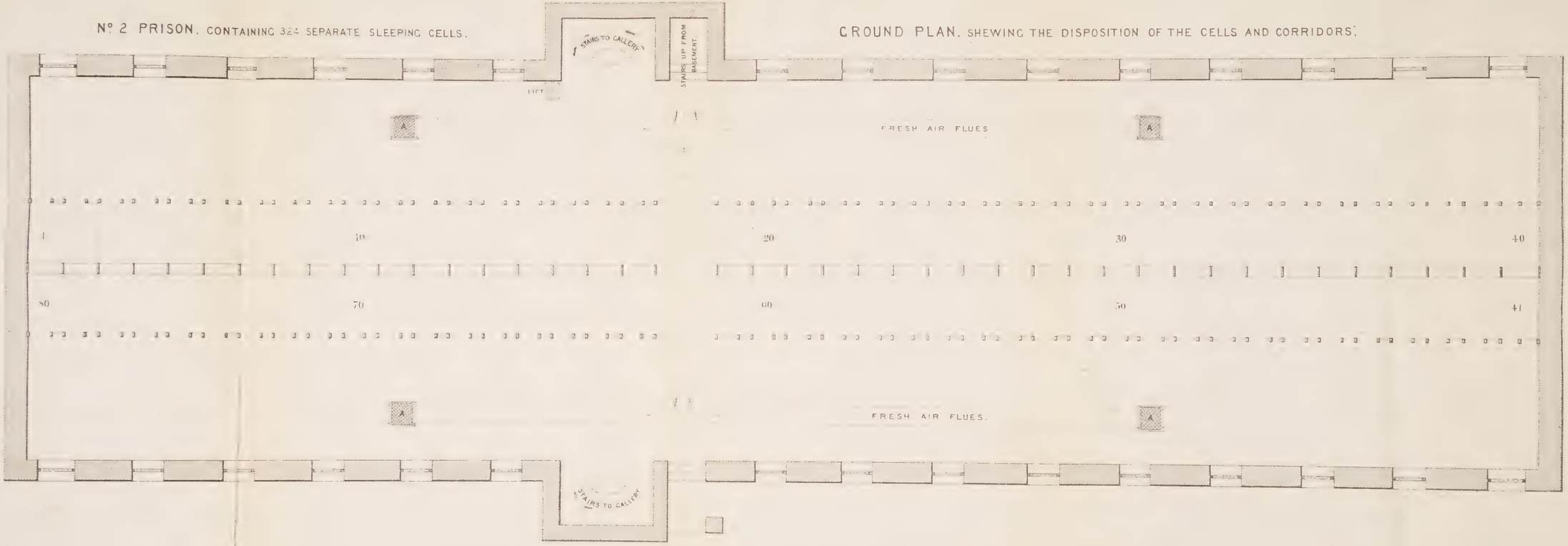
SCALE OF 50 40 30 20 10 0 100 200 300 400 FEET

DAY & SON, LITHR.

DARTMOOR PRISON.

Nº 2 PRISON. CONTAINING 324 SEPARATE SLEEPING CELLS.

GROUND PLAN. SHEWING THE DISPOSITION OF THE CELLS AND CORRIDORS.

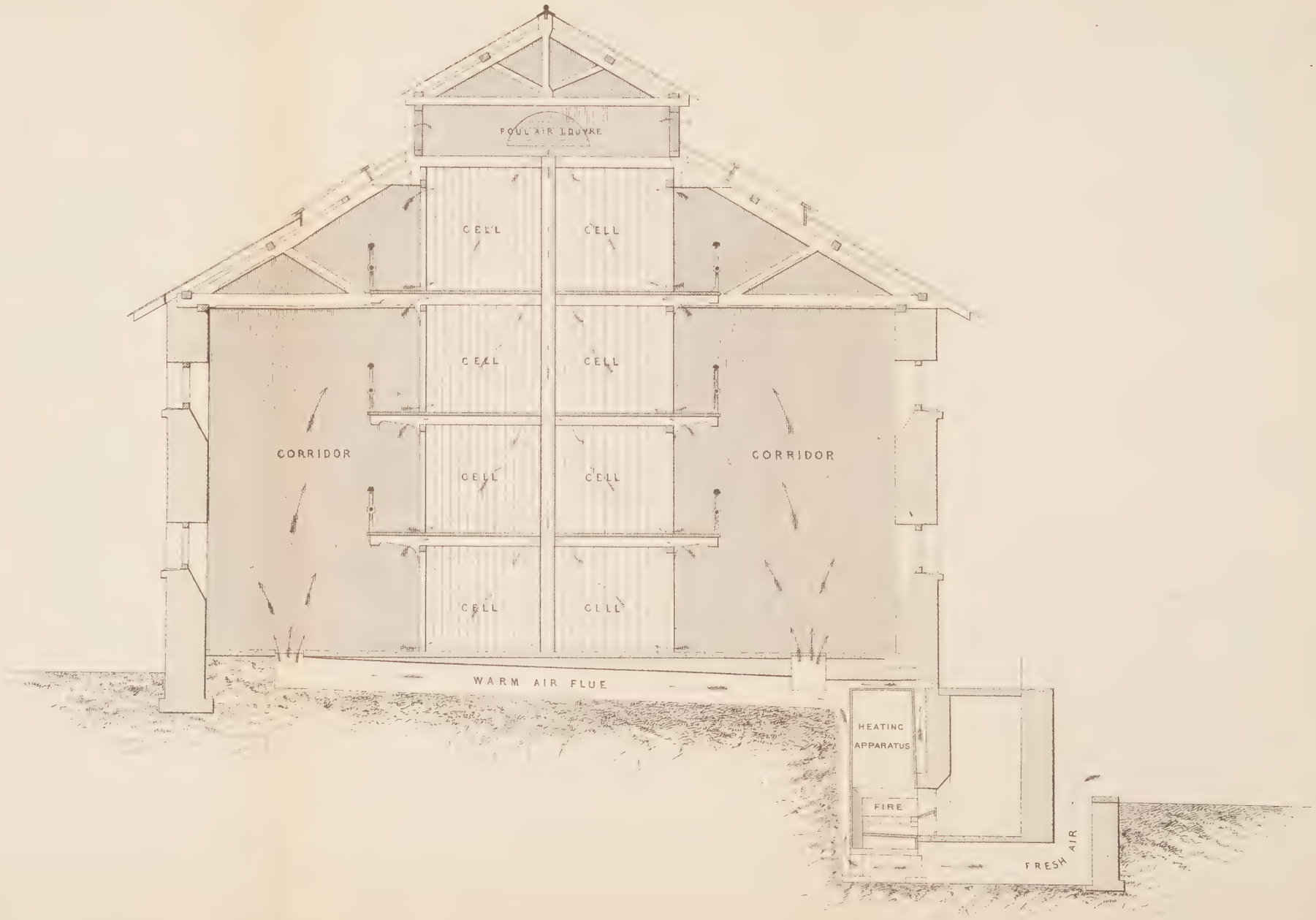


A.A.A.A. FRESH AND WARM AIR.

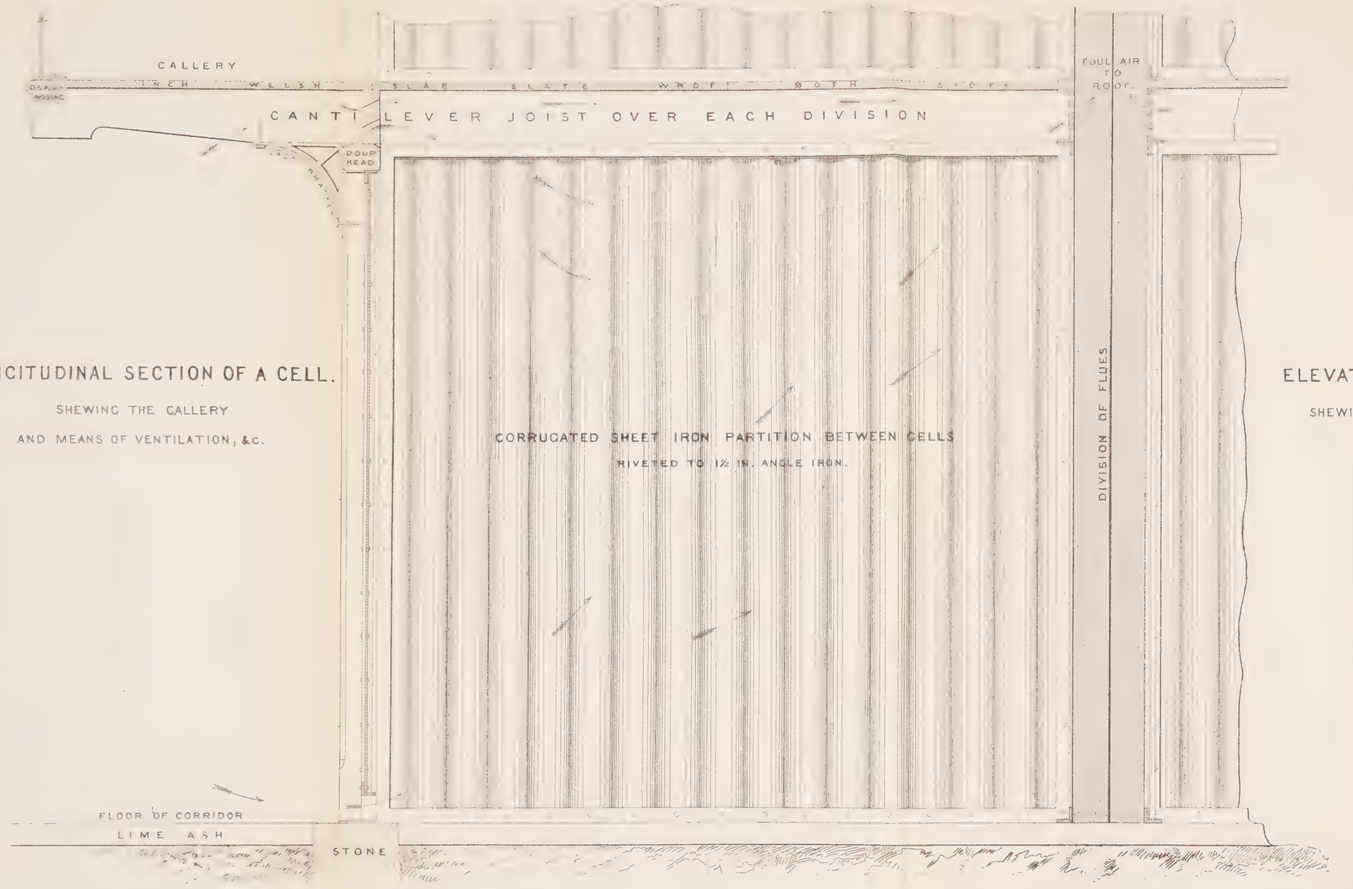
HAY & SON LITHRS TO THE QUEEN

Plate 3.

TRANSVERSE SECTION OF Nº 2 PRISON SHEWING FOUR TIER OF CELLS GALLERIES AND HEATING APPARATUS &c.



DARTMOOR PRISON.



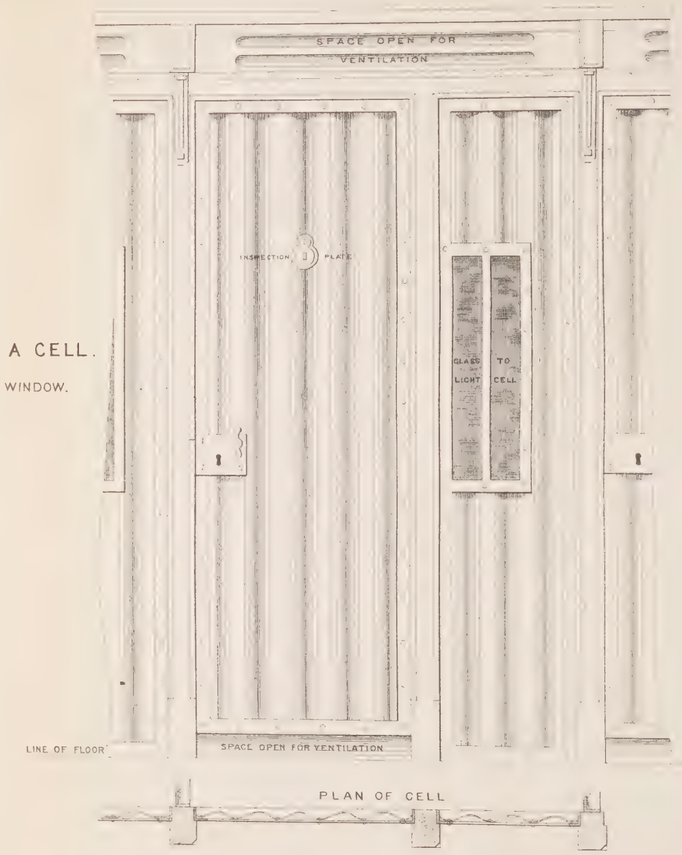
LONCITUDINAL SECTION OF A CELL.

SHEWING THE GALLERY

AND MEANS OF VENTILATION, &c.

ELEVATION OF A CELL.

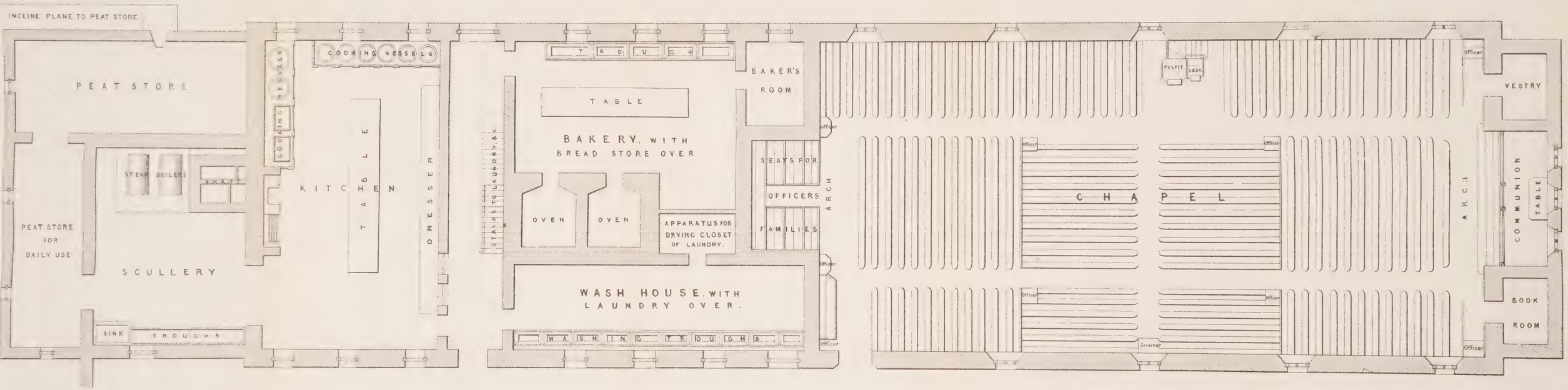
SHEWING DOOR & WINDOW.



INCHES 12 0 1 2 3 4 5 6 FEET

DAY & SON, LITHRS TO THE QUEEN.

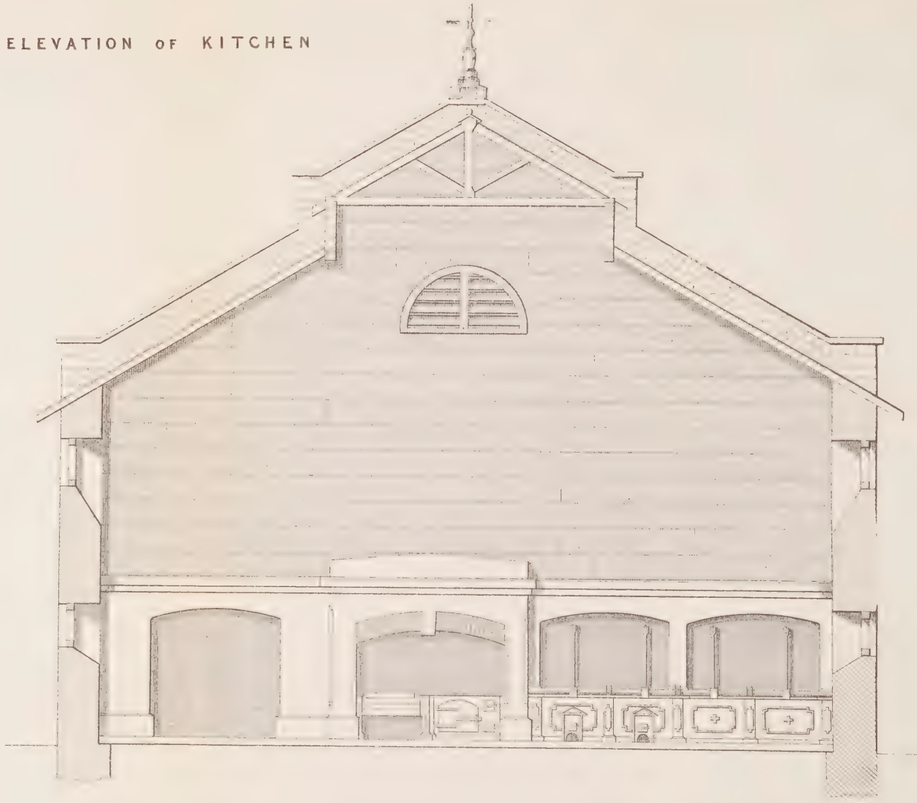
GROUND PLAN OF CHAPEL AND KITCHEN BUILDINGS.



INSIDE ELEVATION OF CHAPEL

A. A. A. WARM AIR GRATINGS.

INSIDE ELEVATION OF KITCHEN

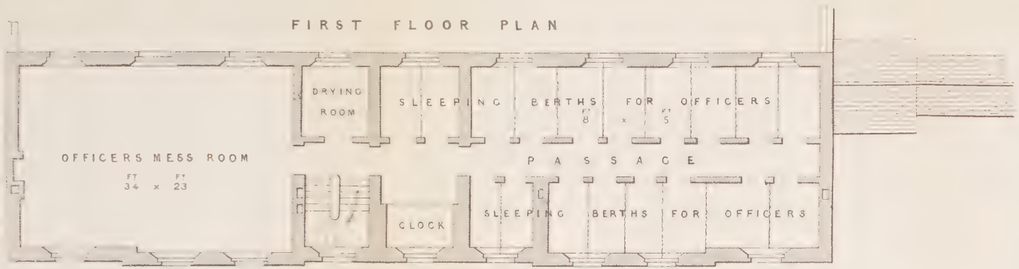


SCALE OF 0 10 20 30 40 50 60 FEET

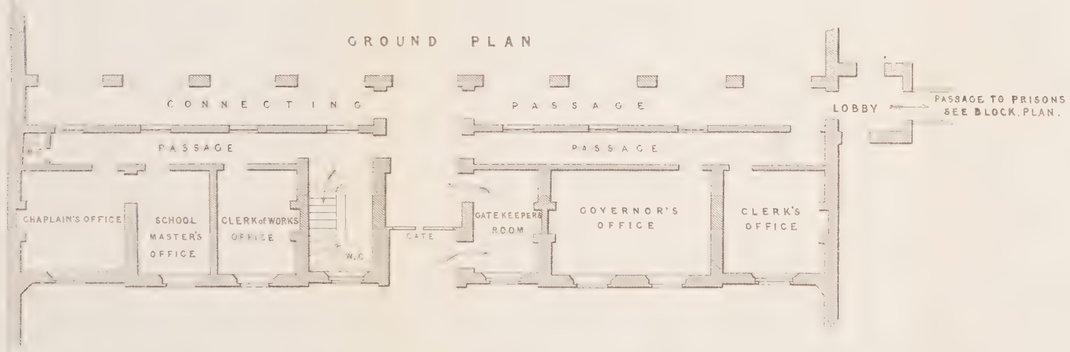
DAY & SON LITH. TO THE QUEEN

PLANS OF ENTRANCE BUILDING CONTAINING OFFICES. &C. AND ACCOMODATION FOR SINGLE OFFICERS.

FIRST FLOOR PLAN



GROUND PLAN



ELEVATION.

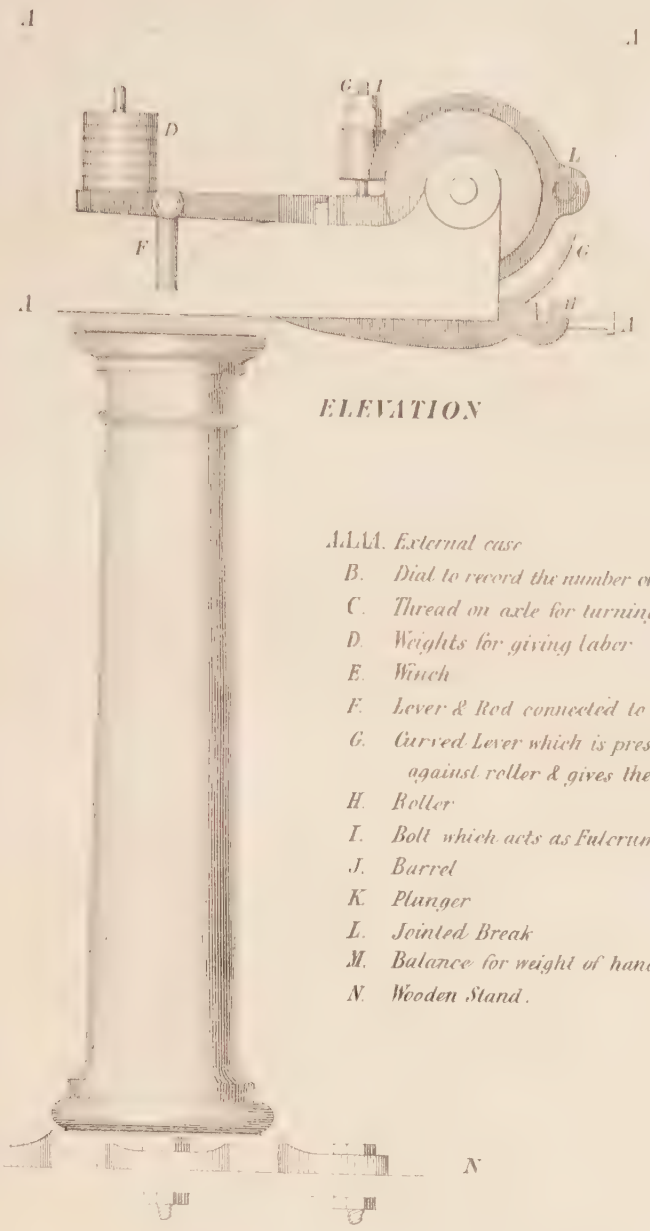
SCALE OF 10 0 10 20 30 40 50 60 FEET

Self Regulating Labor Machine.

Manufactured by

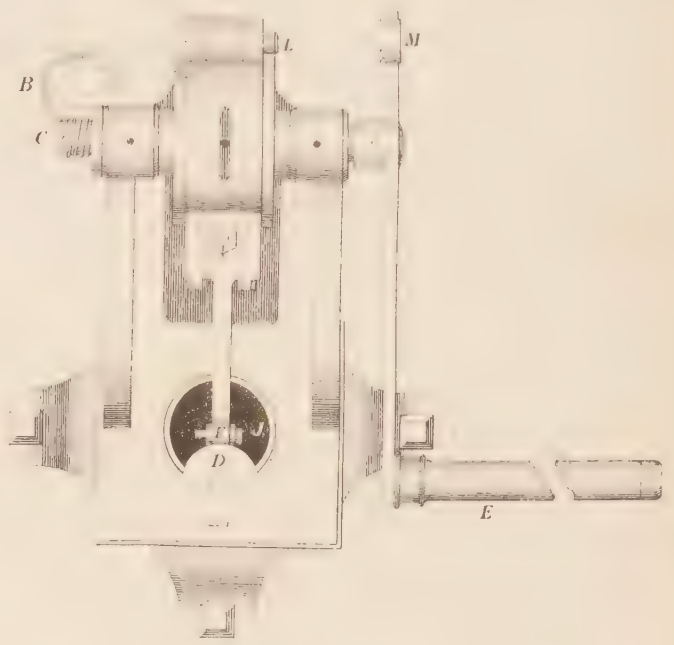
C. BOTTEN, CRAWFORD PASSAGE, RAY ST. CLERKENWELL,

LONDON.



ELEVATION

PLAN



A.A.A.A. External case

B. Dial to record the number of revolutions

C. Thread on axle for turning Dial

D. Weights for giving labor

E. Winch

F. Lever & Rod connected to Plunger

G. Curved Lever which is pressed by the weight against roller & gives the necessary grip

H. Roller

I. Bolt which acts as Fulcrum for curved lever

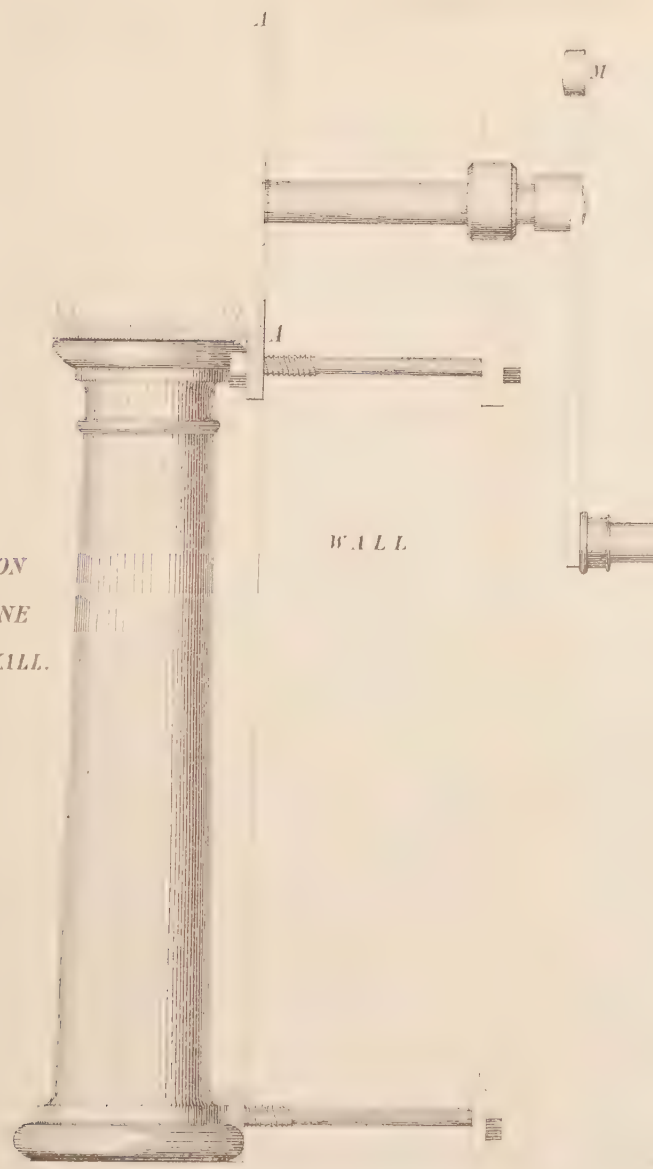
J. Barrel

K. Plunger

L. Jointed Break

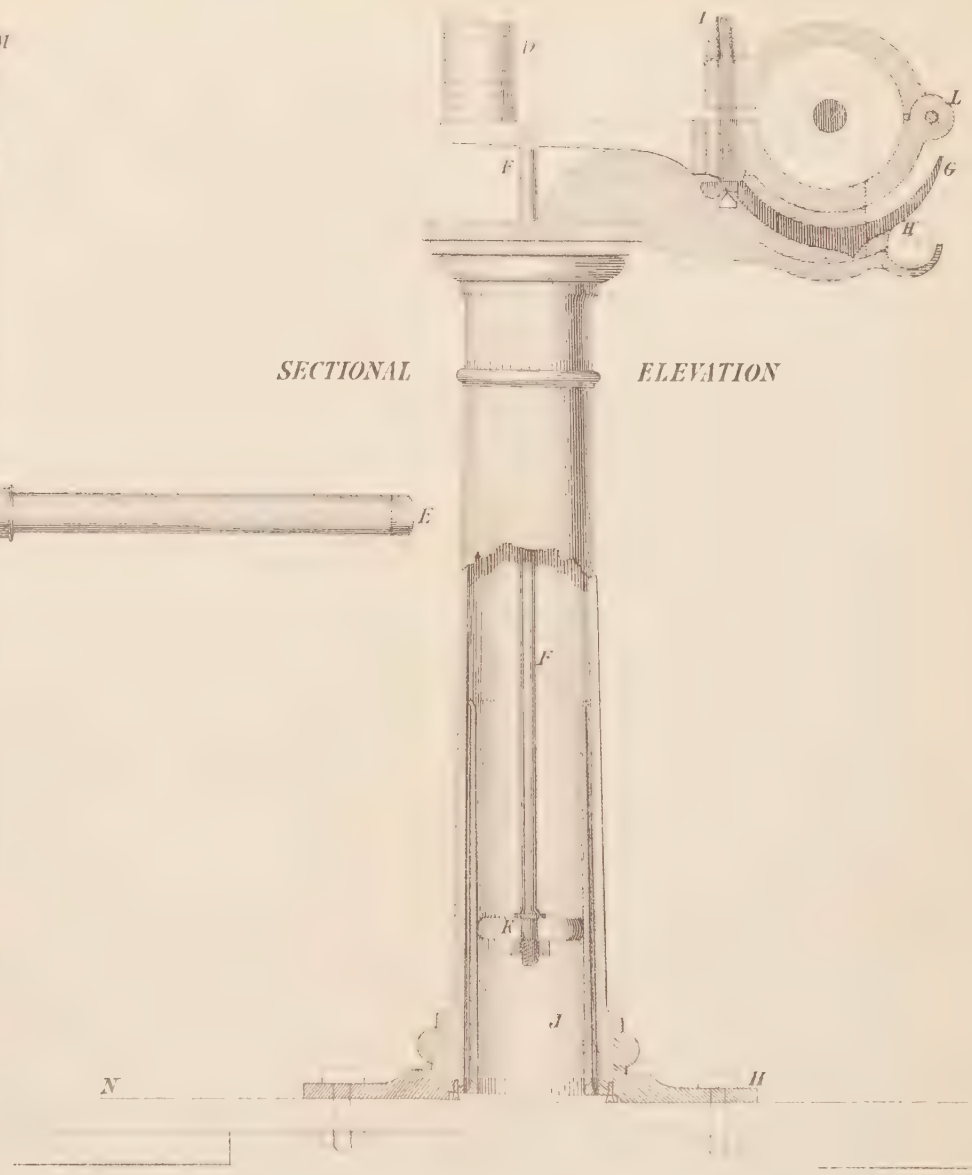
M. Balance for weight of handle

N. Wooden Stand.



ELEVATION OF MACHINE FIXED TO WALL.

SECTIONAL ELEVATION



Day & Son Lith.rs to The Queen

Comparative Abstract of the Estimates

FOR THE

MAINTENANCE OF THE CONVICT PRISONS,

FOR THE YEARS 1850-51 AND 1851-52.

HEADS OF SERVICE.	MILLBANK, 1,300 Prisoners 1850-51. 1,300 ,, 1851-52.				PARKHURST. 680 Prisoners 1850-51. 580 ,, 1851-52.				PENTONVILLE. 508 Prisoners 1850 570 ,, 1851			
	1850-51.		1851-52.		1850-51.		1851-52.		1850-51.		1851	
	£. s. d.		£. s. d.		£. s. d.		£. s. d.		£. s. d.		£.	
Salaries of principal officers and clerks.	4,440 5 0		4,674 15 0		2,433 7 6		2,422 10 0		2,454 12 0		2,442	
Cost per prisoner . .	3 8 4		3 11 11		3 11 7		4 3 6		4 16 8		4	
Wages of inferior officers and servants.	6,286 10 0		6,456 6 2		2,276 12 0		2,047 5 0		1,367 12 0		1,514	
Cost per prisoner . .	4 16 8		4 19 4		3 7 0		3 10 7		2 13 10		2	
Salaries and wages of manufacturing or labour department.	2,648 2 0		2,635 4 0		776 8 0		717 18 0		1,546 18 0		1,884	
Cost per prisoner . .	2 0 9		2 0 7		1 2 10		1 4 9		3 0 11		3	
Total amount of salaries	13,374 17 0		13,766 5 2		5,486 7 6		5,187 13 0		5,369 2 0		5,841	
Total cost per prisoner	10 5 9		10 11 9		8 1 4		8 18 3		10 11 4		10	
Rations for officers, and allowances in lieu thereof.	1,386 0 0		1,341 18 0		412 10 0		376 3 6		330 0 0		367	
Cost per prisoner . .	1 1 4		1 0 8		12 2		13 0		13 0		1	
Uniforms for officers and servants.	60 0 0		60 0 0		22 0 0		25 0 0		60 0 0		80	
Cost per prisoner . .	11		11		8		10		2 4			
Victualling prisoners . .	10,750 0 0		9,450 0 0		4,930 0 0		3,509 0 0		4,064 0 0		4,560	
Cost per prisoner . .	8 5 5		7 5 5		7 5 0		5 1 0		8 0 0		8	
Clothing prisoners . . .	2,550 0 0		2,550 0 0		1,088 0 0		1,218 0 0		812 16 0		1,097	
Cost per prisoner . .	1 19 3		1 19 3		1 12 0		2 2 0		1 12 0		1 1	
Bedding prisoners . . .	500 0 0		520 0 0		. .		296 0 0		177 16 0		206	
Cost per prisoner . .	7 9		8 0		. .		10 3		7 0			
Medicines, surgical instruments, &c.	500 0 0		500 0 0		150 0 0		100 0 0		100 0 0		110	
Cost per prisoner . .	7 9		7 9		4 5		3 5		4 0			
Medical comforts (extras for the sick).	300 0 0		300 0 0		125 0 0		75 0 0		268 0 0		280	
Cost per prisoner . .	4 7		4 7		3 8		2 7		10 7			
Clothing and travelling expenses of prisoners on liberation.	50 0 0		50 0 0		80 0 0		70 0 0		60 0 0		50	
Cost per prisoner . .	9		9		2 4		2 5		2 4			
Furniture and fittings . .	250 0 0		250 0 0		80 0 0		200 0 0		60 0 0		80	
Cost per prisoner . .	3 10		3 10		2 4		6 10		2 4			
Kitchen utensils, crockery, cutlery, &c.	. .		. .		40 0 0		100 0 0		60 0 0		70	
Cost per prisoner . .	. .		. .		1 2		3 5		2 4			
Fuel and light for general purposes.	2,300 0 0		2,200 0 0		635 12 0		590 0 0		950 0 0		1,080	
Cost per prisoner . .	1 13 10		1 13 10		18 8		1 0 4		1 17 5		1	
Soap, scouring and cleaning articles.	700 0 0		680 0 0		343 16 0		100 0 0		225 0 0		206	
Cost per prisoner . .	10 9		10 6		10 1		3 5		9 0			
Brushes, brooms, and mops.	300 0 0		300 0 0		70 0 0		65 0 0		100 0 0		110	
Cost per prisoner . .	4 7		4 7		2 1		2 3		4 0			
Funeral expenses, inquests, &c.	50 0 0		50 0 0		15 10 0		10 0 0		20 0 0		20	
Cost per prisoner . .	9		9		5		4		9			
Rent, rates, and taxes . .	. .		205 0 0		150 0 0		. .		50 0 0		50	
Cost per prisoner . .	. .		3 2		4 5		. .		1 9			
Various small disbursements	250 0 0		250 0 0		250 0 0		400 0 0		300 0 0		300	
Cost per prisoner . .	3 10		3 10		7 4		13 9		11 10		1	
Gross total cost of maintenance	33,220 17 0		32,473 3 2		13,878 15 6		12,321 16 6		13,006 14 0		14,508	
Gross total cost per prisoner	25 11 0		24 19 7		20 8 2		21 4 10		25 12 0		25	
Deduct—												
Earnings of Prisoners . .	2,700 0 0		3,600 0 0		1,331 10 0		1,565 10 0		1,782 0 0		2,275	
House-rent paid by officers	. .		. .		215 0 0		200 0 0		62 8 0		180	
Net total cost of maintenance	30,520 17 0		28,873 3 2		12,332 5 6		10,556 6 6		11,162 6 0		12,053	
Net total cost per prisoner	23 9 0		22 4 2		18 2 8		18 4 0		21 19 5		21	

* These amounts are not applicable in reduction of the sums voted by Parliament, but th of the breakwater at Portland, and in the

Portland.) Prisoners 1850-51.) ,, 1851-52.						Hulk Establishment. 1,800 Prisoners 1850-51. 1,800 ,, 1851-52.						Dartmoor Prison, and Invalid Depôts. 700 Prisoners 1850-51. 1,100 ,, 1851-52.						Summary. 5,828 Prisoners 1850-51. 6,190 ,, 1851-52.					
50-51.			1851-52.			1850-51.			1851-52.			1850-51.			1851-52.			1850-51.			1851-52.		
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
3	17	0	2,397	0	0	5,512	0	0	5,742	10	0	2,000	0	0	3,100	0	0	19,207	1	6	20,779	5	0
	16	9		17	1		3	1	8		3	10		2	17	2		2	16	4		3	5	11		3	7	1
9	10	0	4,291	9	0	8,744	0	0	9,014	10	0	3,700	0	0	5,800	0	0	26,564	4	0	29,124	2	2
	19	9		5	2	2		4	17	2		5	0	2		5	5	8		5	5	5		4	11	0		4	14	1
3	10	0	571	14	0	.	.		.	.		400	0	0	630	0	0	6,157	18	0	6,438	16	0
	18	8		13	7	.	.		.	.		11	5		11	5		1	1	2		1	0	10
5	17	0	7,260	3	0	14,256	0	0	14,757	0	0	6,100	0	0	9,530	0	0	51,929	3	6	56,342	3	2
	14	10		8	12	9		7	18	5		8	4	0		8	14	3		8	13	3		8	18	3		9	2	0
	10	0	880	0	0	1,836	15	0	1,969	0	0	.	.		970	0	0	4,824	15	0	5,904	11	6
	0	6		1	0	11		1	0	5		1	1	9	.	.			17	8			16	6			19	1
	0	0	150	0	0	80	0	0	400	0	0	.	.		310	0	0	372	0	0	1,025	0	0
	3	7		3	7			11		4	5	.	.		5	7			1	3		3	4
	0	0	6,930	0	0	15,740	12	6	14,400	0	0	7,984	7	6	10,010	0	0	50,644	0	0	48,859	0	0
	10	10		5	5	0		8	14	10		8	0	0	11	8	1		9	2	0		8	13	10		7	17	10
	0	0	2,457	0	0	3,240	0	0	3,420	0	0	1,260	0	0	2,007	10	0	11,200	16	0	12,749	15	0
	13	7		2	18	6		1	16	0		1	18	0	1	16	0		1	16	6		1	18	5		2	1	2
	0	0	108	10	0	1,260	0	0	1,350	0	0	490	0	0	770	0	0	2,672	16	0	3,251	2	6
	0	10		2	7			14	0		15	0			14	0			14	0		9	3			10	6
	0	0	110	0	0	400	0	0	400	0	0	400	0	0	630	0	0	1,670	0	0	1,850	0	0
	2	0		2	5			4	5		4	5		11	5		11	5			5	8			5	11
	0	0	150	0	0	600	0	0	500	0	0	.	.		700	0	0	1,393	0	0	2,005	0	0
	2	4		3	7			6	8		5	7	.	.		12	9			4	9			6	6
	0	0	50	0	0	.	.		200	0	0	250	0	0	180	0	0	490	0	0	600	0	0
	3	2		1	2	.	.			2	2		7	8		3	3			1	8			1	11
	0	0	100	0	0	150	0	0	150	0	0	1,000	0	0	1,000	0	0	1,890	0	0	1,780	0	0
	5	4		2	4			1	8		1	8	1	8	6		18	2			6	6			5	7
	0	0	50	0	0	150	0	0	150	0	0	100	0	0	150	0	0	450	0	0	520	0	0
	2	4		1	2			1	8		1	8		2	10		2	9			1	6			1	8
	0	0	900	0	0	600	0	0	600	0	0	700	0	0	975	0	0	5,745	12	0	6,345	0	0
	13	9		1	1	5			6	8		6	8	1	0	0		17	9			19	9			1	0	0
	0	0	320	0	0	650	0	0	360	0	0	300	0	0	490	0	0	2,618	16	0	2,156	0	0
	9	6		7	8			7	3		4	0		8	7		8	11			8	11			6	11
	0	0	75	0	0	100	0	0	80	0	0	100	0	0	150	0	0	745	0	0	780	0	0
	1	9		1	9			1	1			11		2	10		2	9			2	7			2	6
	0	0	25	0	0	100	0	0	100	0	0	100	0	0	150	0	0	310	10	0	355	0	0
		0			7			1	1		1	1		2	10		2	9			1	1			1	2
	.			.	.		.	.		700	0	0	.	.		350	0	0	200	0	0	1,305	0	0
	.			.	.		.	.			7	9	.	.			6	4			8			4	3
	0	0	400	0	0	500	0	0	500	0	0	500	0	0	1,000	0	0	2,450	0	0	2,850	0	0
	15	0		9	6			5	7		5	7		14	4		18	2			8	5			9	2
6	7	0	19,965	13	0	39,663	7	6	40,036	0	0	19,284	7	6	29,372	10	0	139,606	8	6	148,677	12	2
	9	4		23	15	3		22	0	8		22	4	10		27	10	1		26	14	0		23	19	1		24	0	5
	.		13,418	7	0*		.	.	15,000	0	0*	.	.		.	.		5,813	10	0	7,440	10	0
	.		400	0	0		.	.		.	.		.	.	350	0	0	527	8	0	1,130	0	0
	.		6,147	6	0		.		22,036	0	0	19,284	7	6	29,022	10	0	133,265	10	6	140,107	2	2
				7	6	10		.	.		13	18	0		27	10	1		26	7	8		22	17	4		22	12	8

* of the labour executed by the convicts employed on public works, in the construction d arsenals at Woolwich and Portsmouth.

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JJBm

REPORT

ON THE

DISCIPLINE AND MANAGEMENT

OF THE

CONVICT PRISONS,

AND DISPOSAL OF CONVICTS,

1851,

WITH NOTES ON THE

CONSTRUCTION OF PRISONS, TREATMENT AND DISPOSAL OF JUVENILE OFFENDERS,

&c., &c.

By LIEUT.-COL. JEBB, C.B.,

Surveyor-General of Prisons, Chairman of the Directors, &c.

Presented to both Houses of Parliament by Command of Her Majesty.

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PRINTED BY GEORGE E. EYRE AND WILLIAM SPOTTISWOODE,

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FOR HER MAJESTY'S STATIONERY OFFICE.

1852.

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REPORT

ON THE

DISCIPLINE AND MANAGEMENT OF THE CONVICT PRISONS,

AND DISPOSAL OF CONVICTS,

1851,

With Notes on the Construction of Prisons, Treatment and Disposal of Juvenile Offenders, &c.

By Lieut.-Col. JEBB, C.B., Surveyor-General of Prisons,

Chairman of the Directors, &c.

To the Right Hon. Spencer Walpole,

Secretary of State for the Home Department.

45, *Parliament Street,*
14*th June* 1852.

Sir,

I have the honour to submit a Report for the year 1851 on those general subjects connected with the management and disposal of convicts, which come under my superintendence, as Chairman of the Directors of Convict Prisons, together with such information concerning the construction of prisons as further experience enables me to afford.

I would propose to take the several points which appear deserving of notice in the following order:— Order in which the subject is treated.

1st. The Accommodation at the Disposal of Government, and the Distribution of the Convicts in the different Establishments.

2d. The General Statistics of the year, showing the number remaining in the Convict Prisons on the 31st December 1851—the Number received into the different Prisons, or embarked for the Colonies, or who have died, during the year.

3d. The General System of Discipline, and its apparent Moral Effects at Millbank and Pentonville Prisons—also, on Public Works at Portland and the Hulks—Establishment at Dartmoor—Parkhurst and Portsmouth Prisons.

4th. Principle of Discipline—Prison Officers—Embarkation of Prisoners, &c.—Disposal of Convicts in the Colonies—Establishment in Western Australia.

5th. Remarks on District Prisons, and Measures for reducing the Number of Convicts sentenced to Transportation—Construction of Prisons—Means of affording Hard Labour.

6th. Juvenile Delinquency and Destitution—Causes of Crime and Preventive Measures—Industrial Schools for the Destitute Classes and Penal Schools for Juvenile Criminals—Disposal of Juvenile Criminals.

CONVICT PRISONS.

With regard to the first point, the accommodation at the disposal of the Government and the distribution of the convicts are detailed in the following Return, which gives these particulars for the 31st December 1851 :—

Return showing the accommodation and distribution of the convicts.

ESTABLISHMENTS.	Total Accommodation.	Present Number.	Vacancies.	REMARKS.
Prisons for Separate Confinement:—				
Millbank	1,100	920	180	
Pentonville	561	561	–	
Wakefield	412	375	37	Cells in County or Borough prisons rented by the Government.
Preston	50	50	–	
Leeds	50	58	–	
Leicester	112	88	24	
Northampton	60	56	4	
Bath	24	23	1	
Reading	40	36	4	
Bedford	50	26	24	
	2,459	2,193	274	
Prisons for labour on Public Works, &c.:—				Convicts employed at Portland in the construction of the breakwater; at Dartmoor, in farming operations and completion of the prison.
Portland	840	830	10	
Dartmoor	1,030	1,023	7	
Shorncliff	61	61	–	
	1,931	1,914	17	
Hulks for labour on Public Works:—				
Justitia (Woolwich)	450	451	–	Convicts employed on Public Works in the Dockyards and Arsenals.
Warrior (Woolwich)	450	449	1	
Stirling Castle (Portsmouth)	450	458	–	
York (Portsmouth)	430	429	1	
	1,780	1,787	2	
Prison for Juveniles:—				
Parkhurst	– 577	– 558	– 19	
Total	– 6,747	– 6,452	312	

The prisons at the disposal of the Government at the close of 1850 contained accommodation for 6,481 prisoners. Amount of accommodation.

During the year 1851 the occupation of the prison at Dartmoor, and other changes connected with the removal of the "Defence" invalid hulk to Woolwich, the construction of a new prison at Portsmouth, and the contemplated abolition of the labour hulks at Portsmouth, have increased the available accommodation for convicts to 6,747, and it will be still further increased on the completion of the works now in hand.*

This increase in the accommodation, coupled with a better means of dealing with invalid prisoners, will enable the Secretary of State to direct the removal of convicts under sentence of transportation from County and Borough prisons more speedily than heretofore, and also to receive those who from being disqualified for embarkation by disease or infirmity have, in many instances, been left for years in those prisons, to the great inconvenience of the authorities.

In applying the accommodation so as to give effect to the present plans for the correction and industrial training of all convicts under sentence of transportation, I endeavour, as far as circumstances will permit, so to arrange the removals that each prisoner shall undergo, as a general rule, 12 months of separate confinement, with the exception of Millbank, where, on medical grounds, the period is more limited. Mode of applying the accommodation.

With this view, on the occasion of each embarkation of convicts for the colonies with tickets-of-leave, the vacancies on public works are filled up by those who have been the longest period in separate confinement at Pentonville, Wakefield, &c. The vacancies thus occurring in separate confinement are again filled up from Millbank and from County and Borough prisons.

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* In the spring of 1853 the accommodation at the following prisons will stand thus :—

Portland		1,070
Portsmouth	New Prison	1,020
	"Stirling Castle" Invalid Hulk	300
Woolwich	"Defence" Hulk	530
	"Warrior" Hulk	450
Dartmoor Prison		1,276
Parkhurst		625
	Total	5,271

GENERAL STATISTICS.

General statistics.

The general statistics of the year are detailed in the subjoined statement, and noticed still further in the Returns, Appendix, pages 108, 109.

GENERAL STATISTICS and Disposal of Convicts for the Year 1851.

On the 1st of January 1851—

The number of Prisoners remaining in Convict Prisons was	6,130	
Received during the year 1851	2,903	
Total population during the year		9,033
Disposed of during the year		2,548
Remaining on 31st December 1851		6,485

Embarked for	Name of Ships.	Date of Ships sailing.	Condition of Convicts in the Colonies.	The Number embarked.	
* Van Diemen's Land	"Lady Kennaway"	January 10	Ticket-of-leave	139	
			Further probation	55	
	"Rodney"	September 14	Ticket-of-leave	160	
	"Aboukir"	December 22	Ditto	211	
			Further probation	47	
					† 612
Western Australia	"Pyrenees"	March 15	Ticket-of-leave	296	
	"Minden"	July 16	Ditto	302	
	"Marion"	October 20	Ditto	161	
			Public works	119	
					878
Norfolk Island	"Lady Kennaway"	January 10	Further probation	56	
	"Aboukir"	December 22	Ditto	22	
					78
Bermuda	"Ascendant"	December 8	Public works	—	230
Gibraltar	"Cornwall"	February 20	Ditto	300	
	"Hempsyke"	August 6	Ditto	146	
					446
Total Number of Convicts embarked			Ticket-of-leave 1,269; Public works 795; Further Probation 180		2,244

Removed to—		
Lunatic Asylums	13	
Philanthropic Society's Farm School	22	
Cold Bath Fields Prison, to undergo 12 months imprisonment before becoming Transports	2	
		37
Pardoned—		
Free	43	
Conditional	16	
On Medical Grounds	76	
On expiration of a moiety of their sentence under an old rule	12	
		147
Escaped (including three that were re-captured and placed in other Prisons)	9	
Deaths	111	
		120
Total Number disposed of		2,548
Remaining in the Convict Prisons 31st December 1851		6,485
Total Population during the year		9,033

* The "Lady Kennaway" and the "Aboukir" also took Convicts to Norfolk Island.
† About 100 have been sent to Van Diemen's Land from Bermuda and Gibraltar, in addition to those transported from England.

MILLBANK PRISON.

Millbank prison.

During the past year, badges have been given to well-conducted prisoners, who had been six months in the prison, with very satisfactory results. The Governor thus observes upon the conduct of the prisoners, and upon the improvement observable in comparison with former years :—

Governor's remarks on the conduct of prisoners.

"The prisoners, taken as a body, have been industrious and orderly in their behaviour.

"The return of punishments for prison offences will be found in the Appendix, and although sufficiently numerous to indicate that there is no relaxation or neglect in reporting cases of misconduct as they occur, they have been fewer during the past year in relation to the number of prisoners than at any former period.

"It is highly probable that the improvement is mainly owing to the system which has lately been adopted of awarding a badge to those prisoners whose conduct for a certain period of their confinement has been deserving."

The Rev. J. Penny, the Chaplain, speaking of the badges, observes :—

Chaplain's remarks on the instruction and conduct of prisoners.

"Badges for good conduct having been worn by prisoners at Millbank during the last year, and not before, I have noticed with interest what effect, in a moral and religious view, may appear to have arisen out of this particular element of prison administration."

Respecting the course of instruction pursued, and the improvement made by prisoners, the Chaplain observes :—

"The system of instruction followed during the past year in reference to the subjects taught, the books used, the mode of teaching, and the distribution of the prisoners of the several wards into classes according to attainments, has been similar to that pursued in the year preceding, and detailed in the last report.

"Separate instruction has been given once a week to those prisoners who are debarred from attending school in association, and occasionally for the last eight months to such prisoners in the infirmary as might be in a condition to receive it.

"A register is kept by each of the schoolmasters, in which are noted the attainments of the several prisoners under his instruction, in reading, writing, arithmetic, their knowledge of the Creed, the Lord's Prayer, and the Ten Commandments, as well as their conduct on every occasion of attending school. The entries being made in the sight of the individuals to whom they refer may tend at once to encourage the diligent and stimulate the slothful, whilst the regular supervision of the Chaplains, who visit the several schools in turn, can scarcely fail in some measure of producing the same effect.

Chaplain's remarks on the instruction and conduct of prisoners.

"On Sundays the prisoners in association have attended two full services, those in separation the morning and afternoon alternately, those employed in the bakery have had the benefit of both services; arrangements have been lately made for prisoners in association receiving further religious instruction in the wards from the schoolmasters, on each alternate Sunday evening.

"The Assistant Chaplain has been in the regular practice of visiting the infirmary wards every day, *reading prayers in all*, and delivering *a lecture* to the prisoners in *each successively*.

"On Sundays suitable ministrations have been afforded in the infirmary, by the religious instructor reading both prayer and lecture in its several wards.

"The religious instructor has on week-days been constantly engaged in reading the Holy Scriptures with the prisoners from cell to cell, and giving catechetical instruction to the juvenile prisoners individually.

"The Holy Communion has been administered to the male prisoners four times in the year, the communicants having been previously visited by the Chaplain, with a view to their suitable preparation.

"The behaviour of the prisoners, as falling under the Chaplain's observation, has been orderly; and the schoolmasters speak satisfactorily of the attention generally evinced. Of *moral improvement*, however, as regards the *many*, embracing change of principle, and *real amendment of character*, he feels considerable diffidence; bearing in mind the circumstances of the prison,—the period of separate confinement, rarely exceeding six months, being somewhat brief to be *permanently effective* for reformatory purposes—the danger of any good impressions made during that period (the seed-time of reformation) being effaced when prisoners are transferred to the *large rooms and general ward*, where the opportunity is withdrawn from those under incipient convictions of being ever *left alone with their conscience*, and the spiritual exercises of the more advanced in religion, both meditation and prayer, are subject to disturbance."

Health of Prisoners.

Health of prisoners.

The health of the prisoners has on the whole been more favourable than in former years. Dr. Baly's Report on the subject is annexed in the Appendix, p. 112, and contains some valuable observations.

Expenses and Earnings of Prisoners.

Expenses and earnings of prisoners.

The total expenses of the prison, exclusive of buildings, amounted to 29,705*l.* 12*s.* 2*d.* After deducting the earnings of the prisoners, amounting to 4,445*l.* 2*s.* 2*d.*, the net cost of the prison was 25,260*l.* 10*s.*

PENTONVILLE PRISON.

Pentonville prison.

In my last Report I stated that the convicts now sent to Pentonville prison were not specially selected, but that all under sentence of transportation, except such as were obviously unfit for separation, were sent indiscriminately to Pentonville, and the various prisons at the disposal of the Government. I also added that this point must be remembered in drawing any comparison between the effects of the discipline at Pentonville under existing circumstances, and those resulting from the plan formerly pursued, when the selection was confined to prisoners between 18 and 35, and who were free from hereditary or acquired tendency to disease.

Moral Improvement and Conduct.

With respect to the moral improvement of the prisoners, their conduct, &c., Mr. Kingsmill, the Chaplain, observes:—

Chaplain's remarks on moral improvement and conduct of prisoners.

"As regards the moral improvement of the prisoners I cannot point to any year in which it was of a more satisfactory kind. There has been less profession, certainly, of a religious character, but I think not worse results. From experience, I suppose, one becomes more cautious in receiving as undoubted professions of a change of heart in men shut out so completely from the great temptations of life. The tenour of our addresses would therefore insensibly, perhaps, partake more of this character, and the prisoner would be led thereby rather to defer his profession of such a change until placed in more natural circumstances.

"In the year there have been few offences against the rules of the prison, in proportion to the number of inmates; and as regards the conduct of the few prisoners brought into association for executing different services in the prison, it has been satisfactory. That such association should not develope some of the evils of human nature was never to be supposed; that it has done this in so small a degree is to me a matter of wonder. On the other hand, I have known it to be useful in several cases to right-minded prisoners as a means of mutual confirmation in that which is good; and it has happened that where there appeared a declension of religious feeling at first on the transition, there was subsequently a more thorough reception of religion, and a healthier form. With the exception of these men, and the shortening the period of confinement from 18 to 12 months, separation is retained in all its integrity, and, according to my judgment, in all its value.

With regard to the general plan of government, in the treatment of convicts in the first and second stages of discipline, it seems to me to solve for the country the problem how sentences of 2, 3, or 5 years imprisonment, instead of transportation for

Chaplain's remarks on moral improvement and conduct of prisoners.

lighter offences, (between which heavy sentence, and one of confinement for a year or two, there is now scarcely any step,) may be effectually carried out, combining, as that scheme does, such elements of penal discipline as will satisfy justice and humanity, together with the hope of improvement arising from religious instruction and industrial training."

Health and Mental Condition.

Health and mental condition of prisoners.

As regards the health and mental condition of the prisoners, the Medical Officer thus reports:—

"There were 4 deaths, 3 pardons on medical grounds, and 3 were removed.

"The average daily per centage of sick during the past year was 3·81; that of 1850 was 3·88; and of the six years preceding, 3·06 as a mean. So that, bearing in mind the difference between the selected class of former years, and the ordinary convicts now admitted, the increase during the last two years appears inconsiderable, and much less than could have been anticipated.

"The calculation for the mortality may be made either in reference to the whole number of prisoners received into the prison during the year,—*the annual prison population*, or upon the mean number of prisoners for each day in the year—*the average daily number;* both methods are adopted in the following table.

"Actual Mortality per Cent.

	On Prison Population.	On Average Daily Number.
First seven years of experimental discipline - -	·37	·64
1850 - - - - -	·49	*1·20
1851 - - - - - -	·33	·75

"Hence it appears that the *actual* mortality of the *prison population* for the past year is less than that either of 1850 or of the preceding seven years. The *actual mortality* as calculated on the *average daily number* is also considerably less than that of 1850, and about only one per 1,000 more than that of the first seven years of the prison's operation.

"But inasmuch as accidents totally independent of disease may, and do often, transfer cases that would appear as *deaths* to another heading, that of *pardons on medical grounds*, and vice versa, it would be more satisfactory in estimating the comparative health of various periods to take the deaths and pardons, and calculate the per centage they amount to collectively. This has been done in the following table, wherein the year appears to much advantage as compared either with 1850, or with the average of the seven preceding years.

* This apparent increase was explained in the Report for 1850.

Extracts from Medical Officer's Report.

"DEATHS and PARDONS PER CENT.

	On Prison Population.	On Average Daily Number.
First seven years of experimental discipline - -	·97	1·72
1850 - - - -	·73	1·80
1851 - - - - - -	·58	1·32

"*Mental Affections.*

"Two cases of insanity, requiring removal to Bethlehem, have occurred during the year. Their history is subjoined.

"James Satchwell, 3,259, was received from the Hulks, where he had obtained a very bad character on account of repeated acts of insubordination and violence.

"On several occasions during his imprisonment in Pentonville, he exhibited similar misconduct, and committed breaches of discipline so flagrant as to lead to doubts being entertained as to his actual sanity. He had naturally but low intellectual development, and his cranial capacity was found, by actual measurement, to be far below the average. He could neither read nor write, and was incapable even of learning a trade. In disposition he was cunning, suspicious, and deceptive.

"After much close observation it was ascertained that the prisoner was the subject of insane delusions, and he was therefore removed to a lunatic asylum. It was impossible, however, for a time, in the absence of the evidence of positive delusion, to state that he was irresponsible for his actions, or to say that his violent conduct was not alone attributable to a wicked and ungovernable temper.

"The history of the other case is as follows:—

"B. Woller, 3,688, aged 24, of bad moral character, having been three times previously convicted and imprisoned, and several times also examined on charges of felony, and discharged on account of defective evidence, was noticed on admission as somewhat pallid; he had also some imperfectness of vision, accompanied by a peculiar and constant oscillation of the eye-balls. He had been but three weeks in the prison, when he was suddenly seized with mania, and was shortly afterwards removed to Bethlehem.

"The morbid conditions noticed on admission were regarded at the time as of functional origin only; but, considered in connexion with the subsequent attack of insanity, it is presumed both may be referred to cerebral disease which existed previous to his imprisonment.

"The number of removals to Bethlehem, as compared with preceding years, is found to be:—

"·27 per cent. on the prison population of the first seven years.
·32 per cent. on the prison population of 1850.
·16 per cent. on the prison population of 1851.

Extracts from Medical Officer's Report.

" Three cases of delusion have also occurred :—

" 1. W. Ross suffered from depression, and was the subject of aural delusions. These symptoms disappeared under treatment, and he was subsequently removed as unfit for further separate confinement.

" 2. H. Litchfield laboured under the delusion that he was suspected of having committed an unnatural offence, and that this was made a subject of conversation by the warders. The delusion in this case had ceased to affect the prisoner before he was removed from the prison.

3. H. S. M'Laughlin, 3,617, has been affected with insane delusions, which, under association, have vanished at times, and again re-appeared. This case also recovered under treatment in the prison.

" Besides the cases of insanity and delusion already noticed, there were observed other cases, in which mental depression, irritability, natural feebleness of intellect, and other conditions not amounting to actual disease, existed, and rendered relaxation, or suspension of the discipline, necessary in the first place, and removal from the prison advisable at a subsequent period. They amounted in all to 22.

" No case of suicide has occurred. There were two attempts, however, but not of a very desperate or determined character.

" *Conclusion.*

" The admission of ordinary convicts for the purpose of undergoing punishment instead of a class carefully selected with the ulterior object of colonization, would naturally tend to increase the proportion of both mental and bodily disease. This anticipated result, however, has not obtained, as the medical statistics show, with regard to mortality and disease in the prison ; while, if the condition of the prisoners at the expiration of their imprisonment be regarded, and a comparison in this respect be made between those formerly embarked on board the convict ships, and the men who have been sent during the last two years to the public works, the observation will be in favour of the latter as being more healthy in appearance, and possessing, for the most part, unimpaired strength, and activity of both mind and body.

" Those who have had an opportunity of making such a comparison will, I doubt not, confirm this opinion.

" The circumstances which have been mainly instrumental in counteracting the tendency to disease and in maintaining health will be found to be these. The term of imprisonment in Pentonville has been shortened ; the time to be passed in separate confinement having been reduced from 18 to 12 months.

" A more natural atmosphere has been supplied to the cells, by placing under the control of each prisoner a means of admitting, at will, a current of fresh air direct from without. Nor would I estimate at a low value the increase of food given to those employed at the more laborious occupations.

Extracts from Medical Officer's Report.

"With regard to the mental affections which have occurred during the past year, I would observe that of the two cases removed to Bethlem, the insanity in neither was traceable to the operation of separation on the mind of the prisoners. The three cases of delusion recovered in Pentonville; they were subsequently removed to an associated discipline, and have since experienced no recurrence of disordered mental action.

"The accounts which have been received of those also who were removed as unfit for continued separate confinement state that, with the exception of 3,508, whose mental condition is said to be still doubtful, they are all in good health, and have not exhibited any indication of mental affection since they were removed from the prison.

"The mental health, then, during the past year may be considered to have been highly satisfactory, whether the diminished number alone be regarded, or the character of the cases themselves."

Unusually large number of cases of mental affection.

The foregoing is a Medical Report to the 31st December 1851, but between that time and the date of the present Report there has occurred an unusually large number of cases of mental affection, and I felt it to be my duty to address the annexed letter to the Secretary of State, recommending various modifications of the system hitherto pursued, which from the experience gained at other prisons were shown to be practicable without diminishing the efficiency of the first period of probation of separate confinement.

Letter to Mr. Sec. Walpole, on the unusually large number of cases of mental affection.

"Sir,

"I beg you will submit, for consideration of Mr. Secretary Walpole, the following resolutions of the Directors of Pentonville Prison, together with the statements and returns on which they are founded.

"As these resolutions, if carried into full effect, will make an alteration in the routine established by the Commissioners charged with superintending the experiment on the separate system, and might be regarded as affecting the principle of discipline which it was their object to work out, the Directors have deemed it desirable to lay the subject before the Secretary of State, and obtain his approval of the changes they propose.

"It may be convenient that I should give a brief outline of the circumstances which have induced the Directors to recommend these deviations from the original plans.

"Experience has shown the necessity of the greatest precautions in the administration of the discipline of strict separation in order to guard against its tendency to depress and otherwise affect the mental energies of prisoners.

"Having been more or less connected with the management of Pentonville since its first occupation, and being now responsible

Letter to Mr. Sec. Walpole.

for the general working of the different measures, which are brought into operation in the convict service under the authority of the Secretary of State, I felt it necessary, on the recent occurrence of an unusual number of cases of mental disease at Pentonville Prison, to address a memorandum to Captain O'Brien, the Visiting Director, charged with the immediate superintendence of the established routine, of which I annex a copy in Appendix, p. 121.

"The inquiries of Capt. O'Brien into these subjects, supported by statements, returns, and information from the different County Prisons, where convicts are undergoing their first probationary period of discipline, were very carefully considered by a Board assembled under the provisions of the Pentonville Act, and the following resolutions were agreed to :—

"1. That the exercise in the separate airing-yards does not appear so well calculated to promote the bodily or mental health of prisoners as the plan pursued at Wakefield*, and that brisk walking exercise under such arrangements as will effectually prevent communication should be substituted for it.

"2. That the mask or peak does not prevent prisoners from recognizing each other in the prison ; moreover, that as prisoners see each other before they are brought to the prison, come in considerable bodies, and are assembled together when they leave the prison, it would be desirable to discontinue it, since the use of it appears calculated to depress the spirits of the men, without obtaining any corresponding advantage.

"3. That the same facts and reasoning apply to the separation in chapel, and it would therefore appear desirable that the stalls should be done away with, as at Wakefield.

"4. That it would appear advisable to take advantage of the removal of the sittings for extending the accommodation in the chapel.

"I entirely concur with the Directors in attributing the greater amount of mental disease which is found at Pentonville, as compared with Wakefield, to the difference in the administration of the same system of discipline.

"As regards the points of difference, so far as the moral objects and effects are concerned, some will argue in favour of working out the abstract theory of separation, and deem it to be essential, others prefer a close adherence to the principle, but do not find that bringing prisoners into immediate contact in chapel, and exercising them in sight of each other, under such supervision as will prevent communication, have any adverse effects on their moral training, but the contrary.

"Even, however, if it required some sacrifice of any advantages which might be assumed to follow a close adherence to the theory,

* The prisoners are exercised at a brisk walk round paved paths, forming three concentric rings.

Letter to Mr. Sec. Walpole.

I should conceive it to be my duty to recommend such increased relaxation as appears calculated to improve the character of the discipline by diminishing the evils which are generally believed to be inseparable from it.

"The prejudices of the public against separate confinement are gradually subsiding, and it is of great importance to the more general introduction of the system, as recommended by the Committee of the House of Commons, that every effort should be made to secure its great advantages without again raising the question of its safety. It was partly owing to this consideration that the term of separate confinement was limited to twelve months.

"I am, &c.
(Signed) J. JEBB."

H. Waddington, Esq.
&c. &c.

Increase of exercise.

The Secretary of State having been pleased to approve the foregoing plans for improving the discipline at Pentonville, two sets of separate airing-yards have been removed, and the prisoners having been exercised at a brisk walk, the amount of exercise has been materially increased. The experience hitherto gained of the change has been very favourable.

Observations on Separate Confinement.

Separate confinement.

As the effects of separate confinement on the mental and bodily health of prisoners will at all times be a subject of high interest, and any experience bearing upon the question is valuable, I cannot omit to call attention to the Report of Dr. Baly, the visiting physician of Millbank, who, for many years, has devoted much attention to the subject. He makes the following observations, having reference to the effects of separate confinement in that prison during the year 1851—

Extracts from Dr. Baly's Report of 1851, relative to the effect of separate confinement.

"The total number of deaths was 20, or 18·31 per 1,000 prisoners of both sexes. Amongst the male prisoners, 17 died, or 18·51 per 1,000. Amongst the female prisoners, 3, or 17·26 per 1,000. (See Table I.) This rate of mortality is higher than that amongst persons of the same period of life out of prison; but it bears a very favourable comparison with the previous mortality of the prison, even in the most healthy years, if the small number of those pardoned on medical grounds, and of those removed to other prisons while labouring under disease of fatal tendency, be taken into account; and especially if the large number of unhealthy prisoners received be likewise considered.

Extracts from Dr. Baly's Report.

"The subjoined table gives the proportion of deaths alone, and of deaths with the pardons and removals on account of serious disease, during the four healthy years, 1843 to 1847, and the several subsequent years.

	Deaths per 1,000 Prisoners.			Deaths, Pardons, and Removals per 1,000 Prisoners.		
	Male.	Female.	All Prisoners.	Male.	Female.	All Prisoners.
Average of the Years 1843 to 1846 inclusive	17·16	15·06	16·77	40·36	31·62	39·33
1847 -	28·48	29·60	28·64	41·70	76·96	46·87
1848 -	57·69	21·51	53·88	66·60	43·02	64·70
1849 -	93·72	63·59	82·23	139·46	114·46	135·73
1850 -	21·97	26·15	23·39	44·94	52·29	47·65
1851 -	18·51	17·26	18·31	30·49	40·27	32·05

"The table of insane cases during the year 1851 (See Table IV.) is a more than usually extended one, but, when examined, affords no reason for the belief that new causes tending to injure the minds of the prisoners have been in operation at Millbank prison. Of the eight patients removed to Bethlehem Hospital, five were decidedly insane when they were received at Millbank.

"Two others were noticed at the time of their reception to be of very low intellect, one of them also sullen, and in a state already verging on insanity.

"With respect, then, to the origin of the cases, the facts are, that of the 13 insane patients, 6 were at the time of their reception insane, 3 of weak mind, and 4, including the female patient, of sound mind. Extending the same inquiry to all cases of insanity that have occurred in the prison amongst the male prisoners during the last eight years, we obtain the following results:—

	Average daily Number of Male Prisoners.	Total Number of Insane.	Insane when received.	Of weak Mind when received.	Of sound Mind when received.
Year 1844 - -	699	3	3	—	—
„ 1845 - -	828	4	1	1	2
„ 1846 - -	845	8	3	—	5
„ 1847 - -	983	7	4	2	1
„ 1848 - -	1,223	11	7	1	3
„ 1849 - -	896	15	10	1	4
„ 1850 - -	1,001	6	1	2	3
„ 1851 - -	918	11	6	2	3
Aggregate numbers for the 8 years - -	7,393	65	35	9	21
Annual proportion of insane of each class per 1,000 prisoners - -		8·75	4·73	1·21	2·84

"That the length of the imprisonment, up to a certain limit, affects the result considerably, is quite certain, and is rendered sufficiently apparent by the following facts:— Extracts from Dr. Baly's Report.

		Recovered in the Prison.	Removed to Bethlehem or other Prisons or Asylums.	Died.	Remarks.
Insane prisoners, of weak mind when received - -	9	1	6	2	One committed suicide, and one died of dementia.
Insane prisoners, of sound mind when received - -	21	13	7	1	Died of bodily disease unconnected with his insanity.
Both classes - -	30	14	13	3	

"During the former four years of the period above referred to, the average duration of the imprisonment of the male convicts was only three months and seven days; and the number of cases of insanity amongst them was 11, or 3·28 per 1,000 prisoners annually. During the latter four years (1848 to 1851 inclusive) the average duration of their imprisonment was five months and six days; and the number of cases of insanity was 19, giving an annual ratio of 4·70 per 1,000 prisoners. Omitting the cases of those who recovered in the prison, the number of cases in the former period becomes five, and the annual ratio, 1·49 per 1,000; the number in the latter period 11, or 2·72 per 1,000 annually.

"The same result, namely, the increasing risk to insanity that attends the protraction of imprisonment, at all events through the first twelve months, is shown more precisely in the subjoined table. It will be seen that of 30* male prisoners who became insane in Millbank prison in the course of the last eight years, only 9 were attacked during the first three months of their imprisonment, 9 in the course of the second three months, 8 in the course of the third three months, and 4 at later periods; while about 16,000 prisoners passed through a single three months imprisonment, only about 8,400 through a second three months imprisonment, about 4,200 through a third three months, and about 1,200 through a fourth three months: so that the ratio of cases of insanity has been nearly twice as high in the second three months of imprisonment as in the first three months, and in the third three months more three times as high as in the first.

* "In three cases (L. D., J. J., and M. M'G.) the men were so exceedingly imbecile or melancholic at the time of their reception, and passed so gradually into a state of complete insanity, that the period of the commencement of their attacks cannot be exactly determined. Two of these cases are referred to the first three months, and one to the second three months of imprisonment."

Extracts from Dr. Baly's Report.

Periods of Imprisonment.	Approximative Number of Prisoners who passed through each Period.	Number of Cases of Insanity occurring in each Period.	Annual ratio per 1,000 of Cases of Insanity for each Period.
First Three Months - - -	16,000	9	2·25
Second Three Months - - -	8,400	9	4·28
Third Three Months - - -	4,200	8	7·61
Fourth Three Months, or later - -	1,200	4	—

"With respect to the particular influences which give rise to mental disorder with this increasing frequency during the first nine or twelve months passed in prison, it may, I think, be affirmed that the more powerful ones are included under the following heads:—

"1. The various feelings of remorse, shame, and despondency, which act most strongly on educated and sensitive minds, and at an early period.

"2. The withdrawal of the accustomed external sources of excitement, inducing a state of inertia, or torpor of mind, which leaves any tendencies to mental disease more free to develope themselves. This cause affects more frequently men of low intellect and deficient education, and in others, produces its evil results at a later period.

"3. Various morbid influences acting on the mind through the body; including many disturbances of the general health, due chiefly to comparative deficiency of exercise and fresh air, and the exhaustion of nervous power induced by the 'solitary vice;' this last cause operating especially on young persons, and generally after some months imprisonment.

"All these influences, but especially the latter two, will, it is obvious, have greater sway in proportion as the imprisonment involves more of actual seclusion. It is, therefore, not surprising that at Millbank prison during the last eight years the cases of insanity have been much less numerous among the prisoners 'associated' in large rooms, than those among those confined in 'separate' cells. The number of prisoners in separate cells has, on the average, been 624; the number in association 298. The cases of insanity among prisoners of the separate class have numbered 24; the cases among those of the associated class have been 6. The annual ratio of cases of insanity has, consequently, been only 2·52 per 1,000 among the latter, and 4·78 per 1,000 among the former.

"An important fact remains to be noticed, namely, the much larger proportion of men originally of weak or dull intellect among the prisoners who became insane while in separate confinement. Of the 6 prisoners attacked with insanity while in

'association,' only 1 was weak-minded at the time of his reception; while of the 24 men who became insane in separate cells, 8 were imbecile, or of a very low grade of intellect. If, now, these men of originally weak mind be excluded from the calculation, the preponderance of cases of insanity among the prisoners in 'separation' is, of course, much diminished; for there remain only 16 cases of insanity amongst prisoners of the separate class, or 3·19 per 1,000 annually; and 5 cases among those of the associated class, or 2·10 per 1,000 annually. From the calculation thus made, the inference at first sight appears to be deducible, that men of sound mind do not suffer in any very considerable degree more from separate confinement than from imprisonment in 'association,' but in more or less strict silence. But such a conclusion would be erroneous: for the average term of imprisonment of the prisoners of the 'associated' class at Millbank prison has been far longer than that of the prisoners of the 'separate' class; the 700 prisoners of the juvenile class, who, in the years 1844 to 1848, underwent on the average 12 months imprisonment, and nearly all the prisoners who, on account of physical disabilities or other causes, have been detained for long periods in the prison, except the 'incorrigibles,' having been in 'association.' So that if the influences tending to disturb the intellect acted equally under the two modes of imprisonment, the proportion of insane ought to be much greater among the prisoners in 'association;' while, notwithstanding their longer terms of imprisonment, it has been one third less.

Extracts from Dr. Baly's Report.

"The above-mentioned facts do, however, show incontestably the great danger that attends the confinement of prisoners of weak minds in separate cells. It might, I think, almost be affirmed that men of any considerable degree of imbecility, or great dulness of intellect, will with certainty be rendered actually insane or idiotic by a few months separate confinement; and the multiplication of cases of insanity at Millbank prison, where so many men of impaired or deficient mind are received, has been prevented only by the precaution of placing in association all such prisoners as soon as their infirmity of mind became known to the medical officer."

Improvements in the Administration of Separate Confinement in America.

Some valuable suggestions for improving the administration of the discipline of separate confinement in the Eastern State Penitentiary are contained in the Physician's Report in the twenty-first Annual Report of that institution (1850). Their general tendency is to relax the stringency and application of the rules without infringing the principle of separation, and, as the physician expresses it, to secure an "intelligent" administration of the discipline. I have annexed in the Appendix, page 122, some extracts from this

Improvements in America in the discipline of separate confinement.

Report, which clearly show the *evils* which have to be provided for, and the *precautions* which long continued experience has pointed out as being necessary. They are entirely in accordance with the opinion expressed by the Commissioners of Pentonville prison in their Report for 1848 in the following terms:—

Extract from report of the Commissioners of Pentonville Prison for 1848.

"In carrying out any system of separate confinement we are of opinion that it is quite indispensable to secure a constant and vigilant medical superintendence, and those mitigations of absolute solitude, which we believe to have operated so beneficially for the bodily and mental health of the prisoners at Pentonville; we mean, chiefly, a regular and frequent visitation by the superior officers; moral and religious instruction judiciously imparted; employment that will interest the mind as well as occupy the time of prisoners, and regular exercise out of doors."

They are, also, calculated to meet the same difficulties which have been recently experienced at Pentonville, and for which the foregoing alterations in the routine have been suggested.

Gratuities to Prisoners at Pentonville.

Gratuities to prisoners.

On the 1st January last the rules relative to gratuities to prisoners, with a view to stimulate them to industry and exertion, adverted to in my last Report, came into operation; and although, from the short time that has elapsed since their introduction, nothing can be confidently asserted as to the working of the arrangement, I have no reason to suppose that they will not be attended with the same satisfactory results as have been consequent on their application at other prisons.

The following are the rules above referred to:—

Rules relative to gratuities.

"1. Prisoners who have passed six months in the prison, and whose good conduct entitles them to a badge, will be credited with gratuities according to the following scale:—

Scale of gratuities.

"*Scale of Gratuities.*

"Prisoners in the 1st class	-	- 8*d.* per week.
" " 2d "	-	- 4*d.* "

"With an additional gratuity for great industry or extra work, by task or otherwise, of 4*d.* a week.

Scale of Work.

Scale of work.

Trade or Occupation.	4*d.* per Week.	6*d.* per Week.	8*d.* per week.
Shoemakers (work equal to)	2½ pairs of shoes	3 pairs	4 pairs.
Tailors „	2 suits of prison garments.	3 suits	4 suits.
Mat-makers „	36 square feet (red bordered).	45 square feet	54 square feet.
Cloth-weavers „	33 yards of prison cloth, including winding bobbins.	36 yards	42 yards.
Cotton-weavers „	24 yards	30 yards	36 yards.
„ handkerchiefs „	2 doz. handkerchiefs	2½ dozen	3 dozen.
Carpenters	According to industry and superior workmanship.		
Smiths			
Other trades			
Cooks	8*d.* per week.		
Bakers			
Washers	6*d.* per week.		

" 2. No gratuity will be allowed unless the work be done to the satisfaction of the manufacturer. Rules relative to gratuities.

" 3. No prisoner on the sick list will be allowed any gratuity while unable to work.

" 4. No fraction of a week can be allowed.

" 5. No prisoner under punishment shall be allowed any gratuity for the week in which he may be punished.

" 6. Any prisoner forfeiting his badge will cease to be credited with a gratuity until he has regained his badge; and in the event of the prisoner committing a serious offence, he may, at the discretion of the Directors, be liable to forfeit all former gratuity to which he would otherwise have had a claim.

" N.B.—It will be explained to the prisoners that any gratuity awarded to them under these Rules will be transmitted to the Governor of the Colony to which they may be sent, for their benefit."

The Chaplain makes the following remark upon the introduction of the plan:—

" The new regulation by which a small gratuity is credited to prisoners for an increased amount of work, will prove a great stimulus to industry, and effect a positive saving in expense. In giving this stimulus also it will, I doubt not, be useful in keeping in healthier exercise the energies of the mind, and make the confinement in general more tolerable. In proportion to its value in the estimation of the prisoner will its withdrawal act as a penalty, which, I trust, will be borne in mind in awarding punishments for prison offences." Chaplain's remarks on gratuities.

Expenses and Earnings of Prisoners.

Expenses and earnings of prisoners.

The expenses of the prison, exclusive of buildings, amounted to 12,458*l.* 11*s.* 5½*d.* After deducting the earnings of the prisoners, amounting to 2,260*l.* 15*s.* 4*d.*, the net cost of the prison has been 10,197*l.* 16*s.* 1*d.*

The following Table shows the net average expense of each prisoner for the last five years:—

	£	*s.*	*d.*
1847	33	7	4
1848	28	14	7
1849	23	19	7
1850	20	6	6
1851	18	19	2

It will be satisfactory to see, that though there exist the same difficulties in the profitable application of labour that were experienced at first, there has been a great diminution of expense.

PORTLAND PRISON.

Portland prison.

Since the date of my last Report, Captain Whitty, under whose able management the new system of Convict Discipline had been organized at Portland, has been appointed one of the Directors for the general superintendence of convict prisons. The vacancy thus occasioned was filled by the appointment of Captain Knight, who had previously held the situation of superintendent of the military prisons in Canada. No other change of any importance took place during the year 1850.* The system of discipline, industrial training, and instruction, as first established, has continued to be steadily enforced. The prisoners, as a body, have been well conducted and industrious. Captain Knight, in his Report, states that a higher degree of discipline or more orderly conduct in general could scarcely be found among any body of men employed on so extensive a work as the breakwater, and that their general tone and bearing give satisfactory evidence of their moral condition, being equally removed from dejection and sullenness, and that daring though suppressed recklessness which in former times was observable among convicts.

Offences and punishments.

Out of a total prison population of 1,395 only 414 have offended against the rules in any particular. The offences

* On the opening of the New Prison at Portsmouth in April of this year, Captain Knight was selected to fill the very responsible office of Governor, and was succeeded at Portland by Captain Clay, the Deputy Governor.

and punishments have generally been very slight, and have amounted to little more than an average of two in a day, in an establishment of 821 prisoners.

As regards the effect of the discipline on the character and conduct of the men, the Chaplain observes :—

Chaplain's remarks on the character and conduct of prisoners.

"The industry of the men, their orderly conduct, the conviction in the minds of the men that their real welfare is regarded, notwithstanding the great strictness of the discipline, and the constant expression of their desire never to offend against the laws of the country again, may lead us safely to conclude that much has been accomplished during the term of imprisonment.

"I would, however, guard against misconstruction of this opinion. I do not mean to convey the idea, that all the men are really changed characters; but I feel persuaded that numbers are greatly improved; that many are fully resolved to lead honest and industrious lives for the future; and that a very fair proportion may be said to be actuated by Christian principles, and that their conduct has been consistent with their profession.

"That there should be tares mixed with the wheat *in a prison* need not be a matter of surprise. Take any body of men, such even as the Army and Navy, and this will unhappily be acknowledged to be the case. We must remember also, that there was a Judas among twelve Apostles, and that the Saviour declares that such will ever be the case during the present dispensation: and that some who 'seemed to run well for a time,' would, like Demas, 'love this present evil world,' and join its ranks again.

"Those persons who think there is so much hypocrisy among prisoners would be surprised, I think, to find how many there are who *make no secret of their dislike to anything like a decided profession of religion.* And those who do make such profession, in a place like this, (where men are associated together on public works,) have to be content to take up their cross and follow the Saviour *through evil report as well as good report;* for among their fellow-prisoners they have frequently the same kind of difficulties to contend with which are to be encountered in ordinary life by those who devote themselves heartily to the service of God.

"The discipline is certainly very strict, but it is carried out with a firm hand, combined with a kind and patient spirit, and hence, under God, its wonderful success."

Industry.

Industry of prisoners.

The industry of the prisoners associated as working parties in the quarries connected with the breakwater, or otherwise employed in the completion of the prison, has been satisfactory.

Captain Knight remarks :—

Capt. Knight's remarks on the industry of the prisoners.

"I have frequently watched the working parties from positions in which I could not have been seen by them, and I have seldom seen a greater amount of industry or willingness displayed by men whose livelihood depended upon their exertions. On this subject I have less hesitation in expressing my opinion than on almost any other connected with the management of this prison, inasmuch as it is one which may at all times be thoroughly and fairly tested by any stranger, and it is one which has seldom failed to call forth expressions of surprise and admiration from such persons as have been permitted to visit the works."

Amount of stone quarried.

A judgment may be also formed by those who are experienced in such works from the fact that a working party averaging about 279 men quarry and load for the breakwater 1,125 tons of stone a day, being at the rate of about 113 tons an hour, of actual work, and about 4 tons a man.

When it is considered that scarcely any of the convicts were ever employed on such work before, and that they have neither the aptitude, the physical strength, nor the diet of the quarrymen or labourers engaged in such operations, the result is remarkable, and can only be attributed to willing and persevering industry, induced by the encouragement held out under the present system, and to the judicious exertions and efficiency of the officers immediately engaged in the superintendence and management of the establishment.

Diet.

Diet.

The diet remains as at the date of my last Report. It has been found generally sufficient to support the strength and condition of the men, and to enable them to exert themselves at the laborious work on which they are employed. A sufficiency of plain wholesome food is essential on these grounds. A less quantity was tried at first, but, after some experience of the effect, it was found absolutely necessary to increase it to the present scale, which is as follows :—

Scale of diet.

	Breakfast.	Dinner.	Supper.
Sunday Tuesday Thursday Saturday	1 pint of tea, made with $\frac{1}{6}$ oz. of tea, and sweetened with $\frac{3}{4}$ oz. of raw sugar.	6 oz. of cooked meat, without bone, and 1 pint of soup. 1 lb. of potatoes.* 6 oz. of bread.†	1 pint of oatmeal gruel.§ 9 oz. of bread.
Monday Wednesday Friday	1 pint of cocoa made with $\frac{3}{4}$ oz. of cocoa, $\frac{3}{4}$ oz. of molasses.	5 oz. of cooked meat, without bone, and 1 pint of soup.‡ 1 lb. of potatoes. 6 oz. of bread.†	
	12 oz. of bread,‖ 2 oz. of milk, daily.		3 oz. of molasses per week.

* Any other vegetable, of equivalent value, may be substituted for potatoes on the recommendation of the Medical Officer.

† Authority has been granted for substituting suet pudding, made with 5 oz. flour and $\frac{3}{4}$ oz. suet, occasionally for the dinner bread; but in consequence of alterations going on in the means of cooking at Portland this change has only just commenced.

‡ The soup to contain per pint, besides cooked meat as above, 1 oz. barley, 1 oz. rice (or oatmeal), and 1 oz. onions or leeks, with pepper and salt.

§ The gruel to contain 2 oz. oatmeal per pint.

‖ The general distribution of the daily allowance of bread may be varied at the discretion of the Medical Officer.

The diet as detailed above is given only to men employed at real hard labour. If prisoners are in separate confinement, or not at constant hard labour, the scale is reduced one fourth, and, if they are placed in separate confinement for idleness, it is reduced one half. The fact that but few ever forfeit their claim to the full diet shows that this arrangement operates beneficially.

Expenditure of the Prison and Earnings of Prisoners.— Working hours, &c.

Expenses and earnings of prisoners.

The cost of the prison, and the earnings of the prisoners are given in full in the Report of the Directors. The following is a summary :—

The total expenses of the prison, exclusive of buildings, during the 12 months ending 31st March 1852, have been 18,119*l.* 10*s.* 11*d.*, and the value of the prisoners' labour has been 20,541*l.* 15*s.* 5*d.*, exclusive of the work done by the washers, shoemakers, tailors, cooks, and bakers. If the balance be drawn it will be seen that the value of the labour performed exceeded the whole expenses of the establishment in the year by upwards of 2,400*l.*, and, if the employment of the men above excluded be taken into account, the excess of earnings over expenses in the year would be above 3,800*l.*

Daily Distribution of Time.

Daily distribution of time.

The daily distribution of time and the hours of work remain as before, and are as follows:—

Occupation.					Remarks.
	A.M.		A.M.	H. M.	
Prisoners rise, wash themselves, and clean cells and wards.	5 0	to	5 45	= 0 45	
Breakfasts (officers and prisoners).	5 45	„	6 15	= 0 30	Breakfasts are served at an early hour to avoid loss of time in taking the prisoners off the works for this meal.
Morning prayers (including time for unlocking and moving to and from prayers).	6 15	„	6 40	= 0 25	Prayers are in the chapel both summer and winter.
Labour, including mustering and going to and from the working ground in the quarries.	6 40	„	11 20	= 4 40	Or from the earliest dawn to 11 20, when the days become shorter.
			P.M.		
Dinner (for officers and prisoners), making up hammocks, and repairing clothes.	11 20	„	12 20	= 1 0	The earliness of the breakfast renders it necessary to have an early dinner.
	P.M.				
Labour, including mustering, and going to and from the working ground in the quarries.	12 20	„	6 20	= 6 0	Or from 12 20 to dusk when the days become shorter.
Supper (for officers and prisoners).	6 0	„	6 50	= 0 30	
Evening prayers and lecture (including time for unlocking and moving to and from chapel).	6 50	„	7 25	= 0 35	
Evening instruction in classes in the halls, others cleaning shoes, shaving, hair cutting, &c. and reading in cells.	7 25	„	8 0	= 0 35	Besides this evening instruction each prisoner has half a day's schooling in the week, and during this half day they are also bathed.
Making down hammocks -	8 0	„	8 10	= 0 10	
Total from 5 A.M. to 8 10 P.M. -				15 10	

N.B.—In wet weather the tailors, shoemakers, carpenters, blacksmiths, washers, and all under cover in workshops, continue their work. If the weather is too bad for out-of-door labour, the men usually so employed are occupied in whitewashing, scouring, and various necessary internal works, for which there is no opportunity on other days. In weather that is merely showery, or available for work by ordinary labourers, the prisoners are not withdrawn from work, sheds being provided for occasionally sheltering the working parties, and a drying-room by which wet clothing is made ready for wear in a few hours.

ABSTRACT OF THE FOREGOING.

Abstract of the daily distribution of time.

	hours.	
Meals - - -	2 0	
Prayers and lecture, including moving to and from.	1 0	
Out-of-doorlabour, including mustering, moving to and from.	10 40	About one hour each day of this time is consumed in parading and going to and from the working grounds at a distance.
In-door occupations and evening instruction, &c.	1 30	This includes some time passed in cleaning up halls, wards, cells, and utensils. — (See details above.)
Total -	15 10	

Instruction.

Instruction of prisoners.

As regards instruction, each man has, as far as circumstances permit, half a day's schooling during the week, besides evening school. The whole body assemble in chapel for prayers at $\frac{1}{4}$ past 6 in the morning, and after work in the evening; and the chaplain and schoolmasters devote much of their time to the promotion of the objects of the Government and the best interests of the men.

It is satisfactory to know that the prisoners greatly appreciate this opportunity of instruction.

HULKS.

Hulks.

In my last Report I observed that the discipline at the Hulks had been, as far as circumstances would admit, assimilated to that at Portland, but in point of management it is impossible to over-estimate the obstacles in the way of an adequate supervision of prisoners confined on board a ship. Great improvements on the system formerly pursued, have, however, been introduced, the results of which are thus adverted to by the officers.

Mr. Masterman, Governor of the "Warrior," Woolwich, in his Report observes :—

Extract from the Report of the Governor of the "Warrior" Hulk.

"I have again the pleasure of stating that the prisoners have continued to perform their labour satisfactorily to the heads of the departments in the Dockyard, and that the convicts have in general exhibited a willingness to work, according to their ability, and with an anxious wish to give satisfaction.

"It is a source of great satisfaction that I have to state, that although the Dockyard was visited by thousands of persons daily, during the period of the Great Exhibition, and the convicts were at

Extract from the Report of the Governor of the "Warrior" Hulk.

work as usual, not one of them escaped, though it might have been expected, owing to the great facilities of passing out among the large crowds, sometimes as many as one hundred persons leaving the yard at the same time. I have also the additional satisfaction of stating that no escape of any of the convicts was effected at any period of the year 1851, which I attribute in a great measure to the watchful care of the officers, with whose general conduct I have been fully satisfied.

"In conclusion, I beg leave to be allowed to express my opinion, that due efficiency in the management of the convicts can only be obtained by confining them in separate cells when they retire to rest, as the greatest vigilance that can be exercised will not prevent them talking in whispers to each other whilst the present mode of sleeping in wards closely stowed on board the Hulks continues."

Mr. Byrne, Governor of the "Defence," Woolwich, in his Report observes:—

Extract from Report of the Governor of the "Defence" Hulk.

"Making allowance for the variety of dispositions, and the number of prisoners confined on board in a state of association, their conduct generally has been very good.

"I would beg leave most respectfully to urge the expediency of erecting a prison, containing separate sleeping cells, for the reception of the convicts now confined on board the Hulks at Woolwich, as the only effectual means of enabling those in authority to carry out the present plans of the Government for the management and reformation of the convicts."

Mr. Bennison, Governor of the "Stirling Castle," Portsmouth, thus remarks upon the conduct and industry of the prisoners:—

Extract from Report of the Governor of the "Stirling Castle" Hulk.

"The general conduct of the prisoners during the past year has been very satisfactory; many of the offences trivial, and requiring only a reprimand.

"The work allotted to them has been cheerfully performed, and to the entire satisfaction of the authorities of the Dockyard; particularly coaling steam ships, which is generally required to be performed as speedily as possible."

Mr. Barrow, Governor of the "York" at Portsmouth, observes:—

Extract from the Report of the Governor of the "York" Hulk.

"The manner in which the sentences of the prisoners have been carried into execution has been by hard labour on the public works, under the Admiralty and Ordnance Department; and I am glad to say that the reports from the various heads of the departments have been very satisfactory.

"Regarding the treatment of the prisoners, the system has been to give each man every help to prove by his conduct his anxiety to atone for past offences, and to become worthy of the encouragement held out by Government; but if he refused or

neglected these opportunities, he was made to feel that he had brought on himself the full rigour of discipline.

Extract from the Report of the Governor of the "York" Hulk.

"The labour in which the prisoners have been employed has been in one respect different to that of any other establishment of the same description in the service, namely, on account of the working parties being distributed under different branches of various departments; of those under the Admiralty, some labour at the Dockyard, Portsmouth, others in repairing the sea-wall, roads, &c., on the Gosport side, others at the Royal Clarence Victualling-yard, cleaning, and scraping, and painting tanks, &c.; while of those under the Ordnance Department, some labour at the gun wharf, cleaning and scraping guns, shot, &c., loading and unloading vessels, &c.; others in repairing the ramparts, cleaning the ditches, &c., of the fortifications; and others have been employed altogether on the works at the new convict prison in course of construction at Portsea.

"One convict has attempted to make his escape during the year, and so far effected his purpose as to get away from the hulk by jumping overboard and swimming ashore, but he was recaptured within half an hour by a person at Gosport.

"As to the moral state of the prisoners, I have every reason to hope that there has been a gradual but decided improvement among them, and their conduct generally has been very good."

The Rev. Geo. W. Livesay, Chaplain at Portsmouth, thus reports:—

Extract from Chaplain's Report.

"I have the honour to lay before you my Annual Report of the moral and religious condition of the prisoners confined on board the Hulks in Portsmouth harbour.

"As these ships are so soon to be exchanged for a new prison on shore, and this is, in all probability, the last time I shall have to report upon them, it would be an eligible opportunity of summarily recording the various causes which have been found to interfere with their efficiency, and will no doubt, before the lapse of many years, lead to their total abandonment, both at home and abroad. It is, however, unnecessary to enlarge upon the defects of a system which is so soon to pass away, in this harbour at least; I shall, therefore, content myself with stating my opinion, that the change contemplated affords matter for much congratulation, and pass on to a brief notice of the moral condition of the Hulks, during the last year of their existence.

"The conduct of the prisoners in general has been very satisfactory. This conclusion I come to, on reviewing and comparing the offences of the last two years. In 1850, they amounted, in both ships, to 502; in 1851, they show a decrease of 72. There has been also a diminution of offences of a grave character, as shown by the smaller amount of corporal punishments. I think there has prevailed among the men an improved feeling, and greater satisfaction with their condition and prospects.

"The classification of the prisoners, though necessarily imperfect

Extract from Chaplain's Report.

from the peculiar arrangements of the ships, yet, as far as it goes, seems to work as well as can be expected. The experience of the past year convinces me that the system of badges or stripes, and that of the weekly gratuities, is productive of much good.

"I have long been of opinion, that the boon of liberation in this country might be extended, in special cases, to men of no previous conviction, and of good character; and I feel assured the result would answer our most sanguine expectations. A paragraph or two, at page 45 of the Third Report of the Surveyor General of Prisons, forcibly struck my attention, when my eye first fell upon it:—

"Looking to my own experience, therefore, and to the opinion of others who have had better opportunity of judging, I do not hesitate to express my conviction, that it would be quite possible, without detriment to the public interests, materially to reduce the number of convicts to be annually sent abroad, by granting conditional pardons to the best conducted men, after periods of confinement proportioned to their respective sentences, on their showing that they had the means of earning their livelihood, or obtaining securities for their good conduct.

"I do not even see why some of the restrictions applying to a ticket-of-leave holder might not be properly and advantageously enforced on a convict receiving a *conditional* pardon. Any such measure would be a very effectual protection to the public."

"I think the last paragraph more particularly contains a valuable suggestion.

"Many a young man, whose crime was committed under extenuating circumstances, and was the first that ever brought him within the grasp of the law, might be safely restored, a better man, to that society which had for a while cast him from its bosom. In the case, a very common one, of a prisoner leaving a large family in a state of destitution, and so thrown upon the Union, might he not, on his return, relieve his parish of a heavy burden, and thereby make some compensation for the misery he had caused?

"Another advantage would arise from it, which would be this. From the prisoners who would be looking forward to their liberation in this country, and conducting themselves so as to deserve it, might be formed a very useful body of men, well-fitted from the confidence reposed in them, to fill those minor situations that are generally given to prisoners; and though I am perfectly aware that, as a general rule, they should have nothing to do with discipline, yet it is within the recollection of some of the old officers of the service, that in cases of emergency such men could be depended on for vigorous co-operation, and were always found on the side of order.

"Very few reports of misbehaviour or idleness on the part of prisoners in school have reached me, and only one case of insubordination has occurred which was thought deserving of punishment.

"The masters continue to manifest great zeal in the discharge of their duties.

Extract from Chaplain's Report.

"Of the improvement made by the greater proportion of the men in school, no other *test* seems to be required, beyond their uniformly good conduct when there, and their known appreciation of the instruction there offered them. If we see a prisoner of ordinary capacity, attentive at all times and *anxious* to improve, we may unhesitatingly say that he *is* improving—whether to a greater or less degree will, of course, depend upon the amount of time set apart for school purposes. I am warranted then, in referring to their general *conduct*, to say, that the general improvement has been highly satisfactory.

"It would, perhaps, be difficult to overrate the anxiety that many prisoners evince to be transferred into the new prison. This feeling is more especially manifested by those men whose eyes have by God's grace been opened to see the errors and sinful follies of their past lives. They are fond of tracing back their first good impressions to the period of separate confinement, during which the labours of faithful and pains-taking ministers were so abundantly blessed to their good. Though subject for many months to a discipline which must be considered in many respects severe, the majority preserve a grateful recollection of the advantages they enjoyed during the first period of their probation, and naturally wish for a speedy renewal of them.

"Twenty-three deaths have occurred on board the Hospital ship during the past year. The names, &c., will no doubt be included in the Medical Report."

Expenses of the Hulks, and Earnings of Prisoners.

Expenses.

The total cost, exclusive of repairs, amounted to 41,060*l.* 17*s.* 9*d.* The average cost of each prisoner was 23*l.* 1*s.* 7*d.*

Labour and earnings of prisoners.

The annexed statement shows the average number of the convicts confined in the Hulks during the year, and their earnings as calculated according to reasonable wages for the different description of work performed per day of ten hours, into which all the time employed has been reduced. It must be observed, however, that much of the labour at which the convicts at the Hulks are usually employed is of a broken and desultory kind, not always capable of measurement, or the application of a system of individual task-work; and that in such cases the value of the labour can in reality be only estimated.

If the earnings (29,536*l.* 6*s.* 1½*d.*) as detailed be taken as a set-off against the annual expense, the average cost to the country of each convict at Woolwich and Portsmouth will not have exceeded 6*l.* 10*s.*

Statement of earnings of prisoners.

Stations and Hulks.	Average daily No. of Prisoners.	Number of days labour performed.				Total estimated value.	Annual average per head.
		By superior Artificers.		By ordinary Labourers.			
		No. of days (10 hrs. each).	Estimated value, at 2*s.* 6*d.* per day.	No. of days (10 hours each).	Estimated value, at 1*s.*10*d.* per day.		
Woolwich:—		d. h.	£ *s.* *d.*	d. h.	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
"Warrior" - -	448	1,255 8	156 19 6	78,880 6	7,230 14 4	7,387 13 10	16 9 9
"Justitia" - -	443	2,274 8	263 19 1	63,679 3	5,837 5 4½	6,101 4 5½	13 15 5
Portsmouth:—							
"Stirling Castle" -	457	517 9	64 14 9	89,359 4	8,379 19 2	8,444 13 11	18 9 6
"York" - -	431	1,461 4	182 13 6	84,473 8	7,420 0 5	7,602 13 11	17 12 0
Total - -	1,779	5,509 9	668 6 10	316,393 1	28,867 19 3½	29,536 6 1½	16 12 9

Industry—Labour—Distribution of Time, &c.

Industry, labour, distribution of time, &c.

The records of the conduct and industry of the prisoners, by which the period of their detention under penal discipline is regulated, and the being placed to their credit a small gratuity, weekly, for their future benefit, have been found to be a sufficient inducement to industry, without having recourse to the stimulants of beer, tobacco, and extra food, by which in former times the convicts were excited to exertion.

The hours of labour during which the convicts in the Hulks are occupied on the public works necessarily depend on the arrangements and regulations of the different departments under which they are employed. The requirements of discipline and security must in all cases, when convicts are employed at labour in bodies away from their prison, interfere to some extent with their work as compared with that of free labourers; and this is especially the case where they are in close contact with numbers of the latter; but it is endeavoured to avoid as much as possible any loss of time on this account at the different stations; and the following general distribution of time, according to the seasons of the year, is attended to as closely as possible:—

Daily distribution of time.

Occupation.	In Summer (longest day). (In the intermediate Seasons the hours vary according to light.)	h. m.	In Winter (shortest day).	h. m.
	A.M. A.M.		A.M. A.M.	
Prisoners rise, and are let out by classes to wash.	5 30 to 6 0 =	0 30	6 0 to 6 30 =	0 30
Breakfast (officers and prisoners).	6 0 „ 6 30 =	0 30	6 30 „ 7 0 =	0 30
Clean classes and stow hammocks.	6 30 „ 6 50 =	0 20	7 0 „ 7 20 =	0 20
Dockyard gates opened for admission of workmen, and prisoners paraded for labour.	6 50 „ 7 0 =	0 10	7 20 „ 7 30 =	0 10
Prisoners at labour - -	7 0 „ 11 50 =	4 50	7 30 „ 11 50 =	4 20
Labourers leave work, and prisoners return on board to dinner.	– „ 11 50 =	1 0	– „ 11 50 =	1 0
Prisoners parade for labour	– „ 12 50		– „ 12 50	
	P.M. P.M.		P.M. P.M.	
Resume labour - -	1 0 „ 6 0 =	5 0	1 0 „ 4 15 =	3 15
Supper (officers and prisoners).	6 15 „ 6 45 =	0 30	5 0 „ 5 30 =	0 30
Evening prayers and school, those not at school repairing clothes, &c.	6 45 „ 8 0 =	1 15	5 30 „ 7 30 =	2 0
Slinging hammocks -	8 0 „ 8 30 =	0 30	7 30 „ 8 0 =	0 30
Watch set for the night -	– „ 9 0		– „ 8 0	
	Total from 5 30 A.M. to 8 30 P.M.	14 35	Total from 6 0 A.M. to 8 0 P.M.	13 5

Abstract of daily distribution of time.

ABSTRACT OF THE ABOVE.

	Summer. h. m.	Winter. h. m.
Meals - - - - - -	2 0	2 0
Out-of-door labour - - - -	10 0	7 45
In-door occupations and evening instruction -	2 35	3 20
	14 35	13 5

NOTE.—The hours of labour include the time occupied in moving to and from work.

New Prison at Woolwich.

New prison at Woolwich.

I cannot omit this opportunity of earnestly stating my conviction of the expediency of erecting a new prison at Woolwich, similar to that now nearly completed at Portsmouth, thus entirely abolishing the Hulks as places of confinement for able-bodied convicts.

DARTMOOR.

State of the Buildings.

Dartmoor prison.

Since the date of my last Report, considerable progress has been made towards the completion of the establishment, as is shown by the amount of accommodation secured and occupied. In the month of January 1851 the average number of prisoners was 196, and in November following it was 1,017.

Conduct of Officers.

Conduct of officers.

I cannot speak in too high terms of the zeal and energy displayed by the Governor, Deputy Governor, and Chief Warder, in the discharge of their very arduous duties; nor can I omit to mention the services rendered by the Chaplain and Medical Officer in their respective departments.

The duties to be discharged by warders and other subordinate officers in such a prison as Dartmoor, require so much more vigilance and activity than in ordinary prisons that it has been found extremely difficult to obtain the services of men duly qualified to discharge them. A great proportion of those who have had a trial have failed, but there is now a very effective and trustworthy staff, chiefly composed of serjeants and non-commissioned officers discharged from Her Majesty's service with pensions.

Treatment of Prisoners.

Treatment of prisoners.

The discipline and management is conducted, as far as the difference of circumstances will permit, under the same rules and regulations as have been so successfully carried out at Portland. A spirit of industry is strikingly observable in all the working parties; and even the invalids, who formerly passed their time in shapeless idleness on board a hulk, exert themselves to the utmost of their ability at such labour as they are capable of performing. I must explain, however, that this desirable result has been chiefly obtained by establishing two scales of diet; one for those employed at hard labour, and another for those at light labour. The efforts made to secure the former are constant and persevering.

Every care is taken fully to carry out the spirit of the regulations as to cleanliness, discipline, and regularity. The convicts have each and all a daily opportunity of

communicating their wants or complaints to the superior officers or other authorities; they are treated with justice and consideration; and obedience is enforced without the use of hasty or irritating language.

The Governor observes:—

"The instruction in school, and the moral and religious improvement of the convicts, will be noticed by the Chaplain. I will only add, that I feel convinced a very great majority of the prisoners highly value the opportunities afforded them of prosecuting their moral and religious training; and I attribute the satisfactory state of the prison in this respect to the zealous attention of the Chaplain, anxiously seconding me in every way. We have lately had a considerable supply of instructive books for the convicts in their cells and associated rooms, and they are highly valued by many."

Employment.

Employment of prisoners.

The convicts generally have been employed in the conversion of the buildings into prisons and quarters for officers, in reclaiming land, fencing and draining, making roads, and parades, &c., and cutting turf for fuel.

It will be borne in mind that they are undergoing a probationary period of discipline previously to the execution of their sentences of transportation, and that the object is not only to create habits of continuous and persevering industry, and to render them more useful to a colony, but to reduce the expense of their detention under penal discipline in this country by a judicious application of their labour.

With these objects in view, no expense is incurred for any description of labour or work which can be properly executed by convicts.

On these points the Governor states as follows:—

Governor's remarks on the employment of prisoners.

"The description of labour on which the convicts have been employed may be distinguished as follows:—

"Labour on works connected with the prison; and,

"Agricultural labour.

"The prison labour has consisted almost entirely in repairing and converting the old war prisons for the Government purposes; in altering and improving certain buildings to adapt them for barracks and quarters for the officers of the prison; the erection of new offices, mess-room for the subordinate officers, dormitories, &c. A great part of this work was performed by the convicts; and the prison with separate cells was almost entirely done by them. Under prison labour is also included the forming extensive parade grounds, making roads, excavating foundations of old

Governor's remarks on the employment of prisoners.

walls, forming drains, quarrying stones for building, breaking stones for roads, carpenters work, including internal fittings and furniture, and external work, such as fences, gates, doors, and the repair of barrows and other implements of labour; smiths work, painters work, coopers and wheelwrights work, making carts, trucks, &c.; the formation of a garden within the walls; the cooking, baking, washing, and the repairing of linen, boots, shoes, and clothing.

"*Agricultural Labour.*—The first of our agricultural operations commenced on the 20th of February 1851, and consisted of a series of experiments on a small scale, to ascertain how far the soil might be adapted to the cultivation of flax and green crops. The first experiment was on a field of about 3 acres to the north of the prison, which was trenched 2 feet deep, and drained 3 feet 6 inches deep, 15 feet apart, making a total of 968 lineal yards to the acre. The ground being well prepared, received a dressing of 3½ tons of lime, and a light dressing of manure, and was sown with 3 bushels of flax-seed to the acre on the 7th day of May. A portion of this flax was pulled on the 7th August, steeped, grassed, and dressed; it produced 384 lbs. of fine flax, and 452 lbs. of tow, or coarse fibre, making a total of 836 lbs. to the acre. The quality of the fine is equal to the best Riga flax. The seed is not a fine sample, but will do well for sowing again. This defect might be attributed to the late sowing.

"Another experiment was commenced on the 28th of April, on a field containing about 4 acres. It was trenched, drained, and limed, in the same manner as the first field, and received a dressing of 25 cart-loads of manure and 1½ cwt. of guano to the acre; a portion of this field was sown with Swede turnip-seed on the 4th of June, and the other part was sown with yellow turnip-seed on the 2d of July. The produce from the Swede turnips has been 16 tons to the acre, and from the yellow turnips 11 tons to the acre. These turnips were growing vigorously till the frosts in November checked them. I am satisfied, however, that had we been enabled to prepare the ground to allow them to be sown earlier, there would have been an excellent crop. This field and the one sown with flax were, prior to being drained, impassable in many places, the land being a complete bog, with numerous large blocks of granite on the surface. These fields are now dry, friable, and in every respect in a good state of cultivation.

"Several plots of ground inside the prison walls were sown with cabbages, parsnips, carrots, and potatoes; all these gave a very fair crop, except the latter, which were affected with the disease, and the greater part of them entirely destroyed.

"Between the 7th of June and the 8th of November upwards of 2,000 tons of turf or peat were secured, which is equal to 10,000 tons as cut in its *wet* state. This peat is used for fuel, and for making gas for the establishment. The price paid here for turf is from 8*s.* to 9*s.* per journey or ton.

Governor's remarks on the employment of prisoners.

"On the 14th of October we commenced to trench and drain the lands lying on the west side of the road leading to the prison, and up to this date have trenched 31 acres, 2 feet deep, and drained a portion of it 3 ft. 6 in. deep; but, finding the subsoil to be more porous than any that had yet been met with, the drains are cut at 18 feet apart, or 810 lineal yards to an acre; they are filled as before mentioned, and there have been found on the ground sufficient stone to build the necessary fences.

"When the new farm buildings shall be completed there will be accommodation for about 60 head of cattle and 200 pigs, which will afford every facility for breeding, rearing, and feeding on an extended scale."

Additional land taken.

In addition to the land contained within the prison boundary, as originally leased from the Council of His Royal Highness the Prince of Wales, another tract of waste land has been taken with a view to the gradual extension of the farming operations. Suitable buildings, enclosing a farm-yard, and all necessary conveniences, are in course of erection. Preparations are also in progress for steeping and dressing the flax and hemp that may be grown, preparatory to the material being spun and wove into linen at Pentonville for the convict service.

Earnings.

Earnings of prisoners.

Although there do not exist at Dartmoor the same facilities for the profitable application of labour as at Portland, a considerable saving of expense in the repairs and conversion of the extensive buildings to the purposes of a convict establishment has been effected.

An abstract of the earnings under different heads will be found in the following Statement, from which it appears that an amount of about 11,000*l.* has been earned or saved to the Government, the daily average of prisoners employed having been 600, exclusive of cooks, shoemakers, tailors, &c.

ABSTRACT STATEMENT of LABOUR performed by the Convicts on the Works of Dartmoor Prison, from the 1st of January to the 31st of December 1851.

Statement of labour performed by prisoners.

Employed.	No. of days employed, at 9 hours per day.	Valued at	Amount.	Total.
		s. d.	*£ s. d.*	*£ s. d.*
Carpenters	12,178½	2 6 per day	1,522 6 3	
Painters	4,567	2 6 „	570 17 6	
Smiths	2,616	2 6 „	327 0 0	
Masons	3,369	2 6 „	421 2 6	
Slaters	1,077	2 0 „	107 14 0	
Sawyers	3,966½	2 3 „	446 4 7½	
General labourers	50,052	1 3 „	- -	3,128 5 0
Labourers on roads	1,072	1 3 „	67 0 0	
Fitters and engineers	7,956	2 6 „	994 10 0	
Wheelwrights	671	2 0 „	67 2 0	
Stonecutters	1,302	2 0 „	130 4 0	
Bricklayers	741½	2 0 „	74 3 0	
Plasterers	1,387½	2 0 „	138 15 0	
Plumbers	1,568½	2 0 „	156 17 0	
Paperhangers	92	2 0 „	9 4 0	
Glaziers	493	2 0 „	49 6 0	
Labourers	47,912	1 3 „	2,994 10 0	
Tinmen	678	2 0 „	67 16 0	
Coopers	829½	1 6 „	62 4 3	
Light labour men, including invalids	2,654	0 6 „	66 7 0	8,273 3 1½
	145,183			11,401 8 1½

The above numbers are exclusive of Sundays, wet days, school, &c.

PARKHURST.

Parkhurst prison.

Alterations in General Management.

During the past year several important alterations have been brought into operation. The new regulations provide an increased amount of labour and a diminution of school instruction, and have rendered an extension of farming operations indispensable. Some of the pasture land has been consequently brought under tillage, and three additional fields, the property of the Ordnance, have been rented. The boys are also now employed in the farmyard in tending the cows, pigs, &c., and doing whatever work may be required there.

Rewards for Good Conduct.

Rewards for good conduct.

In the discipline as it existed at Parkhurst previously to 1849, there was less encouragement to good behaviour than was thought necessary with boys. They had, certainly, the hope of getting away at an early period, if

well conducted, but considering how little inclined boys of that age are to exercise self-denial merely in the hope of obtaining a distant and, perhaps, inappreciable advantage, it appeared that some more defined prospect and immediate advantage for continued good behaviour were wanting. As experience had shown, at Portland and elsewhere, the advantages of classification denoted by badges, and of placing small gratuities for industry to the credit of deserving convicts, an extension of the principle to Parkhurst was considered desirable.

Accordingly, the following Rules, having been sanctioned by the Secretary of State, were brought into operation on the 1st April 1851:—

"*Classification of Prisoners.*

Rules relative to the classification of prisoners.

"1. The prisoners in the general wards and in the junior wards respectively will be divided into three classes, named the first, second, and third class.

"*Third Class.*

"2. Prisoners who have passed through the probationary ward will be received into the third class.

"3. The minimum period of detention in this class will be four months, after which they will be eligible for removal to the second class; but this removal will not take place unless the officers are satisfied, by their exemplary conduct, attention, and industry, that they deserve it.

"4. The third class will be kept under strict discipline, and no special privileges will be granted to the prisoners therein.

"*Second Class.*

"5. The second class will be divided into two divisions, to be called the first and second divisions of the second class.

"6. The second division of the second class will be distinguished by wearing a badge of red cloth upon the right arm, showing No. 2. in white cloth. The first division of the second class will wear a badge No. 1. in white cloth.

"7. No prisoner will be advanced to the first division until he has passed at least three months in the second division; and no prisoner will be advanced to the first class till he has been at least three months in the first division of the second class.

"8. The second class will be all kept under strict discipline, but will have the privilege of attending school in the evening after the third class have been locked up in their cells.

"*First Class.*

"9. The first class will likewise be divided into two divisions, to be called the first and second divisions of the first class.

"10. The second division will be distinguished by wearing a badge of blue cloth upon the right arm, showing No. 2. in white. The first division will wear a similar badge, marked with No. 1.

Rules relative to the classification of prisoners.

"11. Under ordinary circumstances no prisoner will be advanced to the first division until he has passed at least six months in the second division of the first class.

"12. The first class should be made to understand that they are passing through a probationary period of great importance to their future prospects; that the selection for the privilege of tickets-of-leave in one of the colonies will be made from this class; that the period of detention at Parkhurst under the regulated scale will depend upon their showing that the instructions and industrial training they have received have not been thrown away; and that any relaxation of discipline, or greater opportunities of communicating with their fellow prisoners, that may be granted to them, will enable them to prove whether they are really deserving and can be trusted.

"13. They are expected to set an example of industry and good conduct to the whole body of prisoners, and to show that they are deserving of confidence, and that, if recommended for a ticket-of-leave, they have determined to become useful and industrious in the colony to which they may be sent.

"14. The governor has the power to degrade a prisoner for the commission of an offence, and every prisoner degraded from a class will necessarily forfeit any advantage for which he may have been recommended while in that class.

"*Gratuities for Industry and Good Conduct.*

Gratuities to prisoners.

"15. As a reward for industry and good conduct a gratuity will be credited to deserving prisoners, of such an amount, and under such regulations, as may from time to time be established. The amount of gratuity will depend on the class in which a prisoner may be placed. It will be carried to a prisoner's credit, and be transmitted to the Governor of the colony to which the prisoner may be removed, and will be afterwards advanced to the prisoner under certain restrictions, or be otherwise applied to his benefit, as may be considered desirable.

"*Scale of Gratuities.*

Scale of gratuities.

"16. The gratuity, according to classes, will for the present be as follows:—

	General Ward.	Junior Ward.
1st class, per week - -	6*d.* -	4*d.*
2d „ „ - - -	3*d.* -	2*d.*

"17. The cases of prisoners in the infirmary, or otherwise incapacitated by accident from going to work, will be specially considered. Prisoners misconducting themselves, or under punishment, forfeit all claim to gratuities; and any prisoner attempting to escape, or who shall be guilty of any act of violence or outrage, shall be liable to forfeit any gratuity which may have previously been placed to his credit."

Privilege of writing to friends.

As an additional reward, the privilege of writing to their friends has been extended to well-conducted prisoners, and has been attended with good effect.

The question of granting the privilege, however, was more important than might at first appear. On the one hand it was an object to prevent its being too generally known that substantial advantages resulted to a boy from a long course of discipline and industrial training; nor was it in all respects desirable to open a correspondence between a boy beginning to reform, and parents whose neglect or vices, or, perhaps, whose threats and violence, had brought him into the prison.

On the other hand, the natural affection between parents and children has in it something that almost always developes right feelings, even among the most selfish and depraved, and, under all circumstances, it was recommended that the experiment should be tried.

The following rule has been established for regulating the privilege:—

When a boy has passed through the probationary ward, and has been four months in the general or junior wards with a good character, he is permitted to write home, the letter being, as in the case of all other convicts, read by the Chaplains. At intervals of three months, he may obtain permission to write again, and to receive letters at the same intervals of time.

Ration of pudding as a reward.

Another incentive to good conduct has had a very marked effect. Persons who have been in the habit of dealing with boys will not require to be informed how greatly they prize any gratification, however small, that is connected with eating. When the usual dinner on Sunday is over, prisoners in the third class, and prisoners under any sort of punishment in the other classes, are marched out of the dining halls, the others remain and receive each a ration of pudding, in addition to their ordinary diet.

Results of the foregoing Alterations.

Results of foregoing alterations.

The consequences of these changes in the effects they may produce on the subsequent career of the prisoner, when, disembarked in a distant colony, and, thrown entirely upon his own unaided resources, he will have to stand or fall by his own acts, cannot be known until years have passed, and reports from the local authorities have been sent home. As regards the less important, though immediate results, the Governor observes in his Report:—

Governor's remarks on the results of the changes.

"The successful result of this experiment of giving immediate advantages to well-conducted prisoners has more than realized the expectations indulged in when adopted by the Directors. The

Governor's remarks on the results of the changes.

improvement in the orderly behaviour of the prisoners, and the diminution of the number of punishments for prison offences, are most remarkable."

Speaking of the gratuities, &c., he states :—

Governor's remarks on the gratuities, &c.

"These indulgences, added to that of corresponding, under due restrictions, with their parents, have induced all the prisoners to make strenuous efforts to gain admittance, by continued good conduct, to the higher classes ; so that, during the nine months above specified, the prison offences were reduced to 670 in number, and all these were committed by 161 prisoners : for of 352 who were in the general wards, 191 were not reported for any misconduct during the nine months. Of the 161 above stated, 44 were only reported once, 34 only twice, and 23 only three times ; so that 489 offences were committed by 60 prisoners.

"Active industrial employment, however, tends much to diminish prison misconduct, by counteracting boyish restlessness and allaying irritability of temper. It is generally remarked here, that when continued unfavourable weather has prevented the general employment of prisoners in field labour for several days the cases of misconduct increase perceptibly in number."

The Reports of the two Chaplains confirm the statement made by the Governor as to the beneficial tendency of these alterations.

School Instruction and Moral Improvement.

School instruction, &c.

With regard to educational progress, and conduct of the boys in school, Mr. Smith, the Chaplain, though the hours of attendance in school have been greatly diminished, states :—

"I very much question, however, whether next year I shall not be able to report as great scholastic progress as on any previous year ; for besides the causes above named, another will then have been in operation the whole year, and entirely influence the results of 1852, which has only partially operated on the results of 1851."

On the same subject Mr. Spear, the Chaplain in charge of the junior ward, observes :—

"The tables show some improvement compared with the former year, owing, no doubt, to the general good conduct which has prevailed throughout the prison ; for in proportion as the boys are steady, and obedient to the rules and to their officers, the more readily and cheerfully do they give their minds to scholastic instruction.

"Of the moral conduct of the prisoners I am always desirous to report very carefully, and to make no statement which cannot be supported by facts ; and it is with very great satisfaction that I can present a most favourable account of the conduct of the junior boys during the past year."

He further says :—

School instruction, &c.

"The system of education is simple and elementary, but quite sufficient to prepare the mind for future development, and to assist in its moral and religious cultivation."

In speaking of prisoners recently received, and who are in separate confinement in the probationary ward, he remarks :—

"They have attended school every day under the recent regulations, instead of every other day, which is not without great benefit. The conduct of the prisoners in this ward is very much better than I have ever known it before. A good foundation is here laid preparatory to their being transferred into the other wards."

Industrial Training.

Union of school instruction with industrial training.

With respect to combining school instruction with agricultural and industrial training of various kinds, which has been the established discipline of Parkhurst since its first occupation as a prison in 1837, it is satisfactory to find that the advantages of this union, as the proper basis of education for the lower classes, are now very generally recognized.

Sir J. P. Kay Shuttleworth observes (Report for 1841) that "an orphan or deserted child educated from infancy to the age of 12 or 14 in a workhouse, if taught reading, writing, and arithmetic only, is generally unfitted for earning his livelihood by labour."

Mr. J. C. Symons, one of Her Majesty's Inspectors of Schools, remarks at a later date, that "next to religious and moral discipline, and the entire severance of the child from the stigma of pauperism and the adjuncts of a workhouse home, is the importance of *thoroughly efficient industrial occupation.*"

Mr. Thomson of Banchory also observes, "If you intend a child to be an industrious member of society, you must train him up in the habits of industrious labour suited to his years, thus availing yourself of that precious principle implanted in us by our Creator, which is implied in the injunction, accompanied by a promise, 'Train up a child in the way he should go, and when he is old he will not depart from it.'"

Drill Exercise, &c.

Drill exercise.

It has been frequently objected to the discipline at Parkhurst, especially by those who have never visited the establishment, that it is of too military a character. The fact is that, excepting as regards sufficient drill to enable the pri-

soners to move to and from their work in an orderly manner, and to establish habits of order and cleanliness, there is nothing that can be compared or assimilated to military discipline. To the extent to which it does form an element in the daily routine, I consider it of the greatest possible advantage.

Remarks on the principle of discipline.

There also exists an impression, arising chiefly from the occasional occurrence of attempts to escape, or the commission of isolated serious crimes on the part of individual prisoners, that there is either some defect in the principle of the discipline, or in the way in which it is administered.

Other objections arise on the part of those who entertain the opinion that juvenile offenders ought not to be placed in any establishment which bears the name of a prison; and, because Parkhurst is called a *Prison*, it is inferred that the discipline must be such as is generally known to be in force in other places.

The best corrective to these impressions will, I am persuaded, be an inspection of the establishment; for I do not hesitate to express my conviction that, considering the class of boys who are there congregated,—their ages, and *the extreme difficulty of combining industrial training and instruction with penal discipline, designed to exercise a deterring influence on the criminal population*, the prison is fulfilling, beyond any reasonable expectation, the objects of the Government.

If it were to be determined that all penal features should be removed, and that instruction and industrial and moral training should be the sole objects, "*the family system*," tried at Mettray and other places, might, to a certain extent, be advantageously adopted. One instructor to take charge of, and live with, each family, assisted by pupil teachers from other schools, or selected from amongst the boys themselves, might supersede the necessity of employing a staff of officers possessing other qualifications.

So long, however, as it is to be considered as a place of penal restraint as well as instruction, these modifications could not be safely introduced. The greatest difficulty to be overcome is to prevent Parkhurst prison, or any penal school, from becoming an object of attraction, and to preserve that degree of distinction which should mark the difference between a place of instruction for a convicted criminal, as compared with one having the same object for the honest poor. There would be much cause

for thankfulness, and less numerous claims for admission into such establishments as Parkhurst, if the earnest recommendations in regard to the establishment of district industrial schools for pauper children could be carried into effect.

On this important subject I have ventured to make some further observations at page 91.

Expenses of the Prison, and Earnings of the Prisoners.

Expenses and earnings of prisoners.

The total cost of the prison, exclusive of buildings, amounted to 10,952*l.* 14*s.* 8*d.* After deducting the earnings of the prisoners, amounting to 1,441*l.* 11*s.* 8½*d.*, the net cost of the prison was 9,511*l.* 3*s.* The net average cost of each prisoner was, therefore, only 16*l.* 18*s.* 8*d.*

CONVICT PRISON AT PORTSMOUTH.

Portsmouth prison.

I have annexed in the Appendix plans of the new prison at Portsmouth, which is now partly occupied, and will shortly be entirely completed. The disposition of the buildings has been necessarily regulated by the conditions of a site of very limited extent, as will be seen by reference to Plate 1; but by connecting the wings by a covered passage, placing the kitchen, bakery, and other offices between the wings and the chapel in a central position, the prison as a whole will be found convenient for carrying on the ordinary duties and routine.

Construction of the prison.

It will be observed, in Plate 2, that the principle of construction is similar to that which has been adopted at Portland and Dartmoor. The cells are placed in 4 tiers or stories, the upper ones opening on galleries ranged on each side of an open corridor. Each cell is 7 feet long, 4 feet wide, and 7 feet high. The floors are of slate, and the divisions, fronts, and doors are of corrugated iron. They are ventilated by a flue in the external wall, by which the foul air escapes into a large flue running horizontally in the roof, and finally passes through an open louvre at the end of the building. These louvre openings are so arranged that the one to windward is always closed, whilst the one to leeward is open. Other louvres are placed in the centre of the buildings to facilitate the escape of foul air.

Ventilation.

Fresh air is freely introduced into the corridor, during the summer, by open doors and windows; and during the winter by means of flues brought under the corridor floor

from the exterior on each side of the building, by which the air is conducted to a warming apparatus, where it receives a due degree of temperature, and is then freely discharged into the corridor. From thence it passes into the cells by an opening over and under each door. These arrangements will be seen in Plate 3.

This provision for warming and ventilating the cells, though it will not secure all that can be desired under every possible circumstance, from there being no forcible extraction of the foul air, or the means of propelling the fresh air into the corridor, does practically secure all that is necessary, considering that the men are only confined in the cells during the night, and are in the open air all day.

Whenever the atmosphere is in motion, which is the general rule in this climate, a very effective circulation through the corridor and cells into the outer air is found to prevail, and the excellent state of health maintained in the different convict establishments is a proof of it.

Ventilation of Rooms.

Ventilation of large rooms.

In Plate 6, I have given some details of expedients which may be resorted to for the ventilation of large rooms, some of which have been tried with very good effect at Dartmoor Prison.

Expedients of this nature would be well adapted for barracks or other places where numbers are associated, and where it would be an object, without any additional expense, to provide a sufficient amount of ventilation to secure the health of the occupants.

It is a common practice to allot a space of 500 or 600 cubic feet for each individual, in a room in which no provision whatever is made for ventilation. This, though it sounds as if it were ample, is in reality a very inadequate allowance of air, considering that it has to last for, perhaps, 10 or 12 hours. But half the space would be sufficient if some arrangement were made for ventilation, by permitting the foul air to escape, and the fresh air to enter in its place.

The number of persons who could be accommodated in a room might then be more properly determined by the area required for their convenience on the floor, rather than by the cubic contents of air which should be appropriated for their use.

COMPARATIVE ABSTRACT OF ESTIMATES FOR THE YEARS 1851-2 and 1852-3.

Comparative abstract of estimates for the years 1851-2 and 1852-3.

A comparative abstract of the estimates for the maintenance of the convict prisons for the years 1851-2 and 1852-3 is given in the Appendix, page 215, which shows the sums taken under each head of service for these two years; the number of prisoners for which there is accommodation in each establishment, &c.

DISCIPLINE IN THE CONVICT PRISONS.

Reward of Convicts as essential as their punishment.

Were it not that there may be advocates of a purely coercive penal discipline I should think it unnecessary to state that, in order to carry out the objects which the Government have in view, the reward of the well-conducted convict is as essential an element in the discipline as the punishment of such as persevere in misconduct.

Lord Stanley thus adverted to this important point in his Despatch of November 1842:—

Lord Stanley on encouragements to convicts.

"We do not, however, contemplate a state of things in which the convict, suffering under the sentence of the law, should ever be excluded from the hope of amending his condition by blameless or meritorious behaviour, or from the fear of enhancing the hardships of it by misconduct. On the contrary, to keep alive an invigorating hope and a salutary dread at every stage of the progress of the prisoner, from the commencement to the close of his punishment, appears to us to be an indispensable part of the discipline to which he should be subjected. Further, we contemplate the necessity of subjecting every convict to successive stages of punishment, decreasing in rigour at each successive step, until he reaches that ultimate stage in which he shall be capable of a pardon, either absolute or conditional, though not ever entitled to demand the indulgence of right. It is, moreover, our opinion that the transition from one stage of punishment to another less severe, should be withheld from any convict who by misconduct may have forfeited his claim to such mitigation. On the other hand, we think that a course of meritorious or blameless conduct in any one stage should entitle the convict, in any future stage of punishment, to such proportionate relaxation of the severity of his condition as may be compatible with his continuance in it; and that such good conduct should ultimately have a favourable effect, whenever the question of granting a pardon may be ripe for decision.

"I should leave unnoticed the most important of all the general principles to which the Ministers of the Crown look, so far as respects the convict himself and the society in which he is to live,

Lord Stanley on encouragements to convicts.

if I omitted to add, that we anticipate, from a systematic course of moral and religious instruction which the congregation of the convicts in masses will afford, the means of applying such salutary influences as may best qualify them for entering on the temptations of an independent course of life, and may induce them to betake themselves to industrious and useful pursuits."

Principle of discipline.

A notice, which is suspended in every cell, fully explains the course of discipline through which a convict must pass, and the terms which are prescribed and rigidly exacted before he can obtain the modified freedom of a probationary ticket-of-leave in a distant colony, and eventually a conditional pardon. See Appendix, page 126.

Severity of transportation.

It is in the experience of all who are practically acquainted with the details of discipline, and have opportunities of knowing the feelings of the convicts regarding the imprisonment and other restrictions to which they are subjected, that a sentence of transportation, as now carried out, is in a more severe form than it ever was in former times.

As regards its severity Mr. Kingsmill, than whom no one has had more enlarged opportunities of observation, makes the following remarks :—

Remarks of Mr. Kingsmill on the severity of the present system.

"With all these advantages, however, transportation now assumes unquestionably the severest form yet tried. The sentence henceforth may well strike terror into the stoutest heart, divested as it is of well-known chances of escape, and involving a course of previous discipline, penal and reformatory, distasteful beyond measure to criminals. It will come home to every class of mind. There is a surprising diversity of feeling amongst prisoners as to the comparative degree of severity belonging to the several sorts of punishment; therefore that which is most uniform is also most unequal in its pressure. The adventurous young criminal, for instance, and all who have no friends or home, make very light of being sent out of the country; to many, indeed, of this class transportation has been an object of desire, as giving them a chance of bettering their condition, or of ambition, as the completion of their education in crime; but the thought in such an one of being shut up by himself for six, twelve, or eighteen months first, having only respectable and religious persons to speak to, the very sort of persons he has been fleeing from all his life, fills him with dismay. The educated and well brought up, desiring concealment and having mental resources, can bear the thought of seclusion for a while, and of an exile to follow in a country where he is not known; but his heart sinks within him when he hears that after the ordeal of separate confinement he is to be worked at penal labour in a convict dress, and in some measure exposed to public view. Others again, and perhaps the greater part, accustomed to

labour, and contemplating the advantages to be derived from education whilst in prison, could bear both these stages of discipline with little mental or bodily suffering, to whom removal from home and country is perfectly appalling. The diversity, therefore, in the character of punishment in the several parts of this scheme of probation is not its least valuable part."

Remarks of Mr. Kingsmill on the severity of the present system.

To a casual observer there may appear to be fewer of the forbidding features which he may have expected to find, or considered to be the necessary accompaniments of severe discipline. There may be fewer chains, and bolts, and bars, less apparent coercion, and no symptoms of oppression or harshness; there may be more cleanliness and comfort in the prisons, better clothing and diet than he expected: but if he remembers the daring, reckless, and dissolute characters of many of the convicts, and contrasts it with what he sees of their present subdued state, he will be able to form an idea of the great amount of self-denial, forbearance, and persevering effort exacted from them by the course of discipline to which they are subjected.

Position of convicts under present system.

The majority are placed in circumstances that compel them to contend against their propensities from the moment they enter a convict prison to the hour of their embarkation. The habit of self-control and submission to authority thus acquired and persevered in is not without its advantage; for with the large majority the force of habit alone is calculated to give strength and stability to good resolutions, and to create the desire to give satisfaction to their employers.

It must be remembered, too, that their unceasing efforts during years of confinement are directed to the attainment of the remote object of being transported at an earlier period; the disruption of all their social ties being by comparison far less to be dreaded than a longer continuance under penal discipline.*

In the meantime the contentment of the men, their willing industry, and the absence of punishment for prison offences, furnish no evidence of relaxed discipline, but are attributable to its being framed and carried out by the Government on just principles, and to its being firmly and considerately administered by the governors and officers of the different prisons.

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* Up to a recent period, removal from the country might safely be reckoned as one of the deterring elements of a sentence of transportation, but since the discovery of gold in Australia it is looked upon by the majority of convicts as a boon, rather than a punishment, and it can only now be regarded as a satisfactory means of disposing of the men after the termination of their imprisonment.

Association of Prisoners.

Separate confinement previous to public works.

With respect to the principle of the discipline as now established, it has been questioned whether the association of the convicts on public works will not neutralize all the moral advantages which may have been gained during twelve months' strict separation.

In former Reports I have stated my own convictions as to the necessity of enforcing a period of separate confinement previously to carrying out a term, proportioned to the sentence, in association; and that the latter stage, from exposing prisoners to many of the temptations which they would have to encounter on release from penal restrictions, was calculated to prepare them for freedom by the exercise of their forbearance, &c.

It is satisfactory to me to find the following testimony in favour of this principle on the part of Mr. Field, the Chaplain of Reading Gaol, who has hitherto stood foremost in the ranks of those who were opposed to a probationary period in association, or to any other discipline than that of strict separate confinement. The reverend gentleman, speaking of the system of convict management, in a recent very interesting work,* makes the following manly avowal of an entire change of his opinion on this point:—

Remarks of the Rev. Mr. Field on the order of discipline now pursued.

"The convict, having passed the appointed term in separate confinement, is removed to the establishment in Portland Island (or, it may be, when suitable arrangements are made, to one of our Dockyards), to labour in the formation of the harbour of refuge, or on some public work. There, although he is still under religious instruction and very judicious superintendence, his principles and the reality of his reformation are subjected to a severe test. He is associated with other convicts, and, as it cannot be supposed that all have been reclaimed, he meets with many temptations. The opinions expressed on this plan before the Select Committee of the House of Lords, previously to its operation, by many of the learned Judges of the land, and by most persons acquainted with penal discipline, were very decidedly adverse to its adoption. *The writer himself, when questioned upon the subject, deprecated the proposal in strong terms. He is glad of an opportunity to retract them.* Neither had others nor himself then learned the efficacy of separate imprisonment to the extent it has now been proved. The fear that most of our convicts would relapse for a time, although many good effects of former discipline would be permanent, was, he is thankful to say, unfounded, The author has received from time to time the most satisfactory testimony to this effect from the

* Field's Life of Howard.

highly intelligent and Christian men who superintend the Portland establishment. Many letters received from convicts have been of the most pleasing character; and by a recent visit and personal converse with a large number of men, *he became thoroughly convinced and very thankful that his former apprehensions were not realized.*"

Remarks of the Rev. Mr. Field on the order of discipline now pursued.

Captain Whitty, late Governor of Portland Prison, speaking of the discipline as at present carried out, thus observes in his Report for the year 1850:—

"I would beg to state that, from my observation of the convicts at Portland, I have no doubt that the system of following up a period of separate confinement of sufficient duration, by associated labour on the public works, preparatory to granting to them the advantages of a ticket-of-leave, is working well both for the convicts and for the country.

Capt. Whitty's remarks on the system now pursued.

"The subdued, improved, and disciplined state in which the convicts generally arrive at Portland, from the stage of separate confinement, appears to be an admirable preparative for their transfer to the greater degree of freedom unavoidable on public works. Those convicts who have been for a considerable time at Portland have not usually indicated any falling off in morals or conduct, but, on the contrary, several instances have occurred in which men, on whose conduct the comparative degree of liberty here alluded to appeared to have at first an unfavourable effect, have afterwards become orderly and industrious, and content to work their way cheerfully to the prospective advantages held out to convicts of that character."

Thus pass the two periods of penal discipline under the terms set forth in the notice, and, in due course, the convict is landed in Van Diemen's Land or Western Australia with a ticket-of-leave. His condition in the third period of probation is far from being one of freedom from restrictions.

Third period of probation.

This will appear on perusal of the regulations inserted in the Appendix, page 130, which are sufficiently stringent to mark with great distinctness the difference in the condition of the ticket-of-leave holder and the free labourer or emigrant.

The condition in which he finds himself is one of considerable restraint; and it is essential to his safety and future prospects that he should continue to exercise the same degree of circumspection and self-control that enabled him, when under penal discipline in England, to obtain the comparative freedom of a ticket-of-leave in a remote colony.

Condition of ticket-of-leave holders.

The foregoing will convey an outline of the principle on

which the discipline in the several convict prisons is now conducted; and the details of management appear in the reports on the respective establishments.

I trust, Sir, that experience has justified the expectations which were formed of the operation of such a system, and that the result of any candid inquiry would be, that it is at once severe and deterring in its general character, reformatory in its effects, and generally calculated to secure the different objects of the Government.

FAMILIES OF CONVICTS.

Families of convicts.

One of the conditions on which convicts are placed in the comparatively advantageous position of holders of tickets-of-leave is, that they should agree to repay from the earnings of their labour in the colony the cost of their conveyance to it; and Earl Grey has informed the Governors abroad, "that it is the intention of Government that those married convicts whose conduct, during the first two stages of their punishment, has been such as to deserve this indulgence, should be allowed to have their wives and families sent out to join them, on condition that half the expense of their conveyance is provided for, either by means of any assistance afforded to them by their friends, or the parishes to which they belong, or else by being taken as an advance to be repaid by the convicts on the same terms as the debt incurred by their own removal."

The established regulation is as follows:—

Regulation connected with families of convicts

"The wives and families of ticket-of-leave holders may be sent out to them, when half the cost of the passage has been paid by themselves, or by their friends, or parishes in the United Kingdom. It will be requisite, however, that such families should be supplied with sufficient clothing for the voyage, at their own expense, in like manner as all free emigrants.

"Any sums paid by convicts to the Government under the preceding regulations, will be accepted as part of the contribution towards taking out their families.*"

It is also intended that the whole of the money repaid by the convicts should be devoted to the promotion of free emigration. With a view further to promote the emigration of the families of convicts, which are usually a

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* "Under the present regulations the wives and families of well-conducted convicts holding tickets-of-leave are embarked on payment of 7*l.* 10*s.* for a wife: the same sum for every child above 14 years old; and 3*l.* 15*s.* for every child under 14 years old."

burden upon a parish, it has recently been enacted (11 & 12 Vict. c. 110. s. 5), 'That the guardians of any union or 'parish may, with the order of the Poor Law Board, and 'in conformity with the regulations they make respecting 'the emigration of poor persons, render assistance in the 'emigration of such poor persons, irremovable and charge-'able, and charge the cost upon the common fund of the 'union, or parish where there is no union.' Mr. Kingsmill makes the following observations on the subject of the families of convicts :—

Remarks of Mr. Kingsmill on the families of convicts.

"That the expatriated convict, if well-conducted, should have his wife and children sent to him, is, in a moral point of view, manifestly of the last importance, both as regards the parties themselves and society in general. In all cases the disruption of domestic ties for a lengthened period cannot but be considered as prejudicial in its consequences. The wives of transported convicts who have no hope of joining their husbands or who entertain the false notion generally received that transportation annuls the marriage contract, too often give themselves up to a reckless way of living, and when they become degraded the children are suffered to grow up in ignorance and vice, to be a charge and often a pest to society.

"Its effects upon the resources of the country may be judged of by the ascertained fact of 1,586 children of convicts being in the union workhouses in one year.

"It is fervently hoped, in a matter so evidently affecting the question of crime and pauperism in this country, as well as the happiness of the innocent families of the condemned and banished, that local charity will meet the parochial help and bounty of Government, and that the repayment of the sum which every convict will have to make for his own passage out before he can attain to the privileges of conditional pardon, will, in the case of the married, upon whom unquestionably the sentence in all its stages presses most heavily, be considered sufficient without the additional part-payment of his family's passage out also, which may render it too distant and too hopeless to answer the humane and Christian object of the measure."

From the numerous applications made by convicts to have their wives and families sent out to them on the terms attached to this privilege, it is clear that the men duly appreciate the prospect of a reunion with those from whom they have long been separated, and that it operates as a powerful incentive to a perseverance in good conduct.

A Despatch from Governor Fitzgerald, bearing upon this point, will be found in Appendix, page 137.

PRISON OFFICERS.

Prison officers.

In order to obtain the objects of the present system of convict management, the leading principle of which is corrective discipline calculated to promote the reformation of those who may be subjected to it, it is of importance that the officers engaged in carrying it out should be men of good moral character, and, generally, of a higher grade than has hitherto been considered necessary.

The good effects of having examples before the convicts of truthfulness, sobriety, and a steady and diligent discharge of their duties on the part of the officers superintending them cannot be overrated; for with a great many of the convicts this is a spectacle the very reverse of that to which they have been accustomed from their earliest years. Any one who has an opportunity of observing the very wide difference between the class of officers now employed in prisons and the turnkeys of former times cannot fail to be greatly struck with it. It is satisfactory to me to believe that it is not only in the Government establishments that this beneficial change has taken place, but that it will be equally found in most of the county and borough prisons.

With reference to prison officers generally, Mr. Kingsmill, the Chaplain of Pentonville Prison, states :—

Rev. Mr. Kingsmill's remarks on prison officers.

"A good selection of subordinate officers is a matter of first importance in a prison. Upon them rests the carrying out the details of daily discipline. They come into closest contact with the prisoner. Their character is studied and known by the prisoner. The officer may altogether misjudge the character of the prisoner; but the latter, with little to distract thought, forms in general a very accurate estimate of the character of his superior, even of his habits of life outside the prison walls.

"A high-principled officer of the lowest rank is a constant daily lesson, therefore, to the prisoner, and an example of what may be attained in humble life. He becomes a valuable auxiliary to the direct means used for the instruction and reformation of the prisoner. The superiority of his moral character, his fidelity to his trust, his zeal and strict attention to his superior's commands, ensure respect for the prisoner, and prompt obedience to his own orders, whilst the gentleness of his voice and manner will often win his regard. Prisoners know well the necessity of strict discipline. If well disposed they feel the comfort of it;—to them it is protection. But necessary strictness is one thing; harshness of manner in the officer is another. The first is what the law requires; the second is the arbitrary tyranny of an officer ill-instructed in his duty. Protected by the former, and freed from the irritation of the latter, the prisoner ceases to regard his

punishment as a thing against which he must struggle and revolt; and, if opportunity occurs, escape from. It becomes in a measure reformatory, and facilitates the access of the teaching of religion to the heart."

Rev. Mr. Kingsmill's remarks on prison officers.

And with respect to officers engaged in the superintendence of prisoners associated in working parties, Captain Knight, Governor of Portland, observes:—

Capt. Knight's observations on prison officers.

"To render an officer capable and efficient for the duties here required of him, it is necessary, first of all, that he should be master of the discipline and interior arrangements of an ordinary prison in all its details; he must have in addition a knowledge or at least a great readiness to acquire a knowledge of the method of conducting works of various kinds; the use and management of machinery; he must besides be able to maintain strict discipline in any working party placed under his charge, and that too without any harshness or severity, so as at all times to command the free and cheerful obedience of the prisoners.

"The position of a warder in charge of a working party of prisoners, being as they are in a comparative state of freedom on the open works of Portland, is one presenting no ordinary difficulty. Should he fail to maintain a strict discipline, he at once attracts the attention of the superior officers, and thus renders his own inefficiency apparent: should he exercise undue harshness or severity, he fails in obtaining the willing performance of their work from the prisoners under his charge; and this is immediately discovered, as a record is kept of the amount of work performed by each party separately, which, in the case of all stone quarried, is actually weighed or measured.

"The warder has also to keep a record of, and report to the Governor weekly, the character of each prisoner while at work; every facility is given to the prisoners to ascertain the nature of the report thus made of them; and as it very materially affects their general interests, and the gratuities placed to their credit, they seldom fail to make themselves acquainted with it, their observation being generally keen enough to discern the character they themselves, as compared with their fellow prisoners, are entitled to; should they find that justice is not strictly and impartially rendered them, their discontent is soon evinced, and complaints are at once made. Nor can the warder shelter himself, in a careless performance of his duties over the prisoners at work, by reporting all generally, or any portion of them, better than they deserve; for the amount of work performed by his party will at once show the correctness, or the contrary, of his report.

"I cannot imagine any position in which the ability and conduct of a prison officer would be more severely tested, as the circumstances in which he is here placed form a most perfect criterion of his real worth.

"A much greater amount of firmness, judgment, and discretion is required on the part of the inferior officers in charge of prisoners

Capt. Knight's observations on prison officers.

employed beyond the walls than would suffice in an ordinary prison, even on a larger scale, where the duties of an inferior officer may become comparatively a regular routine, which can not be the case in establishments such as this, where such officers must often be thrown on the resources of their own judgment, tact, and discretion."

Captain Gambier, also, speaking of officers employed on public works, makes the following remarks :—

Capt. Gambier's remarks on prison officers.

"I consider that a prison officer employed on public works should possess far different qualifications to one who is an officer in a close prison. This is particularly the case at Dartmoor, where he will be employed in charge of convicts on the open moor, cutting turf, or superintending the operations of reclaiming the land. Under such circumstances, it is necessary that he should exercise the greatest vigilance, activity, and intelligence, in seeing that his men are properly distributed at their work, and in taking care to keep them all in view. The class of men who are the best qualified for such duties are pensioned non-commissioned officers, because, from their previous habits, they not only exercise a watchful vigilance over their different gangs, but are also obedient to any instructions they may receive."

EMBARKATION AND CONDUCT OF CONVICTS DURING THE VOYAGE.

Embarkation and conduct of convicts on the voyage.

The accounts received from the Surgeons-Superintendent and the Religious Instructors of the conduct of the men during the different voyages have, on the whole, been very satisfactory.

The following are extracts :—

From Mr. Mose, Religious Instructor of the "Minden" convict ship :—

Extracts from the Reports of Religious Instructors, &c.

"Fremantle, Western Australia,
"22 October 1851.

"It gives me great satisfaction to state that the conduct of the prisoners on board the 'Minden' was most orderly, correct, and exemplary to the end of the voyage, and all have now disembarked cheerful and healthy, with an evident disposition to conduct themselves creditably. Many have already been hired into service, and I have no doubt of all obtaining engagements.

"The first 70 men whom I brought out in the 'Scindia' 18 months ago with Captain Henderson, set a most praiseworthy example of steadiness to the ticket-of-leave men who have since followed, and it is gratifying to hear good accounts from all parts of the colony of the orderly behaviour and industry of the men in the employment of the colonists. I shall be very much deceived indeed if the 'Minden' men do not keep up a similar good character."

From Mr. Le Grand, Surgeon-Superintendent of the "Marion" convict ship :— Extracts from the Reports of Religious Instructors, &c.

"Swan River, Western Australia,
"February 7, 1852.

"I am happy to be able to report favourably, on the whole, of the conduct of the prisoners, with the exception of 4, 3 of whom had their tickets-of-leave withheld for the present.

"It appears to be the general opinion here that the introduction of convicts has been of the most material advantage to the colony,—in fact, the means of preventing its being totally deserted by the settlers."

From Mr. Wallis Barr, Religious Instructor on board the "Pyrenees" convict ship :—

"At Sea, on board the 'Pyrenees,' on passage
"from Fremantle to Angiers.

"Previous to my leaving Western Australia, after I last wrote to you, I visited several of the ticket-of-leave holders who accompanied me in the 'Pyrenees,' and I was glad to find that the opinion of some of the colonists who most opposed the introduction of convicts was being changed through the good conduct of the men by the 'Pyrenees.'

"As a proof of the satisfaction felt by the masters with the conduct of the men, one farmer paid in my presence to the Colonial Secretary a sum presumed to be sufficient to convey out the wife and two young children of one of the men in his employ, in order that he might attach him permanently in his service, so highly was he pleased with his conduct."

DISPOSAL OF CONVICTS.

Under any system of convict management, it is of the highest importance to all the interests concerned that there should be some satisfactory means of disposing of or assisting the best-conducted men on their release from penal restrictions. Disposal of convicts.

Up to the present time, a ticket-of-leave in Van Diemen's Land or Western Australia has furnished these means.

There appears reason to believe that, apart from the arguments which may be made use of against the principle of the mother country sending to a particular colony those criminals whom it may be desirable to remove from her shores, the deportation of convicts during the last few years has been a substantial benefit to the colonies to which they have been sent. Convicts beneficial to colonies.

As regards transportation to Van Diemen's Land, I annex in the Appendix, page 139, an extract from a

Despatch from Sir W. Denison, dated 14th July 1851, in which he states generally the feeling which prevails among the inhabitants of that colony in reference to the admission of convicts.

Respecting the number for whom, in his opinion, there would be employment, His Excellency, in a Despatch dated August 21, 1851, also states:—

Extract from Despatch from Sir W. Denison.

"The Comptroller-General, in his Report, brings forward additional evidence to prove that the demand for labour is sufficient to absorb at least 2,000 men in the course of 12 months; and he says most correctly that in this he has understated rather than overstated the number which has been required in order to supply the current wants of the colony."

* * * * * *

"From what I have said, your lordship will, I think, draw the conclusion that the supply of 2,000 men per annum, which has only just been sufficient to meet the demand of the present and past years, will not be sufficient for the wants of the colony for the next few years. I am confident that ample employment will be found for a greater number, and that the interests of the colony will suffer materially, should I be obliged to postpone the construction of various public works for want of labour to carry them out."

So far as the public feeling can be judged of by the eagerness with which the services of ticket-of-leave holders are sought, there would appear no indications of aversion to the reception of convicts, but the reverse.

The following extract from a letter from Dr. Geddes, Surgeon-Superintendent of the "Cornwall" convict ship, bears upon this point:—

Extract from a letter from Dr. Geddes.

"London, February 19, 1852.

"On the 11th of June the 'Cornwall' anchored off Hobart Town. We soon learned that petitions, to be forwarded to Her Majesty's Government, praying that no further importation of convicts into the colony should take place, were at that time being prepared. Some doubts were, therefore, entertained as to the kind of reception that might be experienced by the men just arrived in the 'Cornwall.'

"In the course of a few days from this date, an advertisement was inserted in the public papers stating that the ticket-of-leave men on board the 'Cornwall' would, on a certain day, be ready to be hired by persons who might require their services. On the morning of the day specified, to the no small astonishment of those persons who thought that the prisoners would not be allowed to land, crowds of the colonists found their way on board the 'Cornwall,' and were actually contending with each other who should have the priority in selecting the men whom they wished

to engage. The greater number were in a short time hired and conveyed from the ship in charge of the parties who had engaged them.

(Signed) "W. GEDDES, M.D."

The following copy of a despatch from Sir W. Denison affords favourable evidence with reference to the general character and behaviour of the ticket-of-leave holders, as regards Van Diemen's Land:—

Despatch from Sir W. Denison

"Van Diemen's Land, Government House,

"MY LORD, "October 11, 1851.

"I FORWARD herewith a letter addressed to me by Mr. George Hull, an old officer of the Commissariat department, who was for some years in charge of the department in this colony. He is a colonist of old standing, residing in the vicinity of Hobart Town, and the accuracy of any statements made by him may be perfectly depended upon.

"Mr. Hull has apparently been induced to write this letter by the statements which he has seen in various English newspapers, of the wretched condition of the population of this colony; and I have great pleasure in forwarding to your Lordship a document containing such conclusive evidence that in many instances the change of circumstances induced by transportation has led to a change of conduct, at all events on the part of the convict, and we may fairly hope that this will be the first step to a change of heart and principle.

"I can testify from my own knowledge, that these are but few amongst hundreds of instances of similar changes that have taken place.

"I have, &c.

"The Right Hon. Earl Grey, (Signed) "W. DENISON."
&c. &c. &c."

Extract from Mr. Hull's letter.

"HAVING understood that your Excellency is anxious to inform yourself of the social habits and general conduct and character of the small tenant farmers and others, which make up the labouring community in this colony, I have much pleasure in doing myself the honour of submitting the following statement as to the district in which I reside, and as the result of my experience of upwards of 32 years residence in this colony, during twenty of which I have acted as a magistrate of the territory.

"For the moral character and welfare of this beautiful country, few, if any, can have so great and dear an interest at stake, from the large family and descendants which have grown up around me, and from being myself a landed proprietor therein. From those causes, therefore, I anxiously trust that my statements will have some effect towards dispelling the absurd, unequalled, and, I may say, monstrous calumnies which have been widely circulated against us, until Van Diemen's Land is become a reproach to the whole world, in place of being an honour, which it truly is, to Great Britain and Her Majesty's Government.

"There are only 12,900 male convicts in the whole island, and 10,700 of them are usually employed as domestic and farm servants, wherein they conduct themselves as honestly, soberly, and industriously as the

unconvicted farm and other servants do in England; and I can have no hesitation in saying that, were there 10,000 more convicts available they would be hired in a very short time by the settlers."

Difference of opinion on transportation.

Although the question of thus disposing of convicts is one on which there will be a diversity of feeling and very strong opinions, there appears to be sufficient evidence to remove all doubt that, under proper arrangements, it may be made conducive to the welfare and progress of colonies.

Convicts improved by industrial training.

Now that convicts are subjected to a long course of industrial training, I believe that so favourable an effect is produced on the characters of the majority that, taken as a body, they will be found more useful in a colony where there exists an adequate demand for cheap labour, than an equal number of free emigrants taken indiscriminately from our large towns and country districts. The experience already gained bears me out in this opinion.

Still, however, there will be many colonists who, as Sir W. Denison explains in his Despatch of the 14th July 1851*, either on principle or from interested motives, arising from a desire to keep up the price of labour, will oppose transportation in any form, or under any circumstances. It may, therefore, be desirable to consider, whether any steps can be taken for securing the permanency of so advantageous an outlet as is afforded by the present system of transporting criminals to one or other of Her Majesty's colonies, either for probation on Public Works or in the condition of holders of tickets-of-leave.

NEW COLONIES.

Difficulties in forming a new colony.

All who have had any experience well know the great difficulties which are inseparable from the formation of a new colony. For a long period the entire energies of the first colonists, and all their resources, are directed to making provision for their own individual necessities.

It is not until these are provided for that roads, wharfs, harbours, bridges, &c., are thought of, and then the means of executing them are for many years insufficient; the tide of emigration is checked in consequence, and the progress of the colony is retarded. If, in anticipation of this, arrangements were made for extending the remoter limits of existing settlements, or giving the assistance of convict-labour in aid of private enterprise in the formation of new colonies, the different interests concerned might be ade-

* See Appendix, page 139.

quately provided for, and advantages secured which could scarcely be obtained by other means.

Difficulties in forming a new colony.

Experience of these difficulties has doubtless led to a remark which is often heard, that convicts should be the pioneers of civilization.

As a first step to making suitable provision for the application of convict labour to such purposes, it would appear desirable to have in hand an infant colony, containing within its limits the elements of future greatness, and to execute at different points, at the expense of the Government in the first instance, and afterwards out of colonial funds accruing from the sale of lands or other sources, such great works as might on competent authority be deemed to be essentially necessary.

Within a limited number of years the Government would be released from any direct expenditure or responsibility in regard to the execution of works, but the colony would be placed in such a position as to ensure *a demand for cheap labour.*

Advantage of Convict Labour in a New Colony.

With regard to the advantages which may be derived in the establishment of any colony by convict labour, however imperfectly it may have been applied in former times, Sir W. Denison thus adverts to the subject in a Despatch to Earl Grey, dated 15th November, 1848:—

Sir W. Denison's remarks on the advantages which Van Diemen's Land has derived from convict labour.

"Having thus disposed of the report, I will attempt to bring before your Lordship such a statement of the advantages which the colony has derived from the presence of the convicts, as well as the disadvantages under which the colonists are now labouring from the same cause, as will afford sufficient *data* for some positive conclusion as to the amount to be contributed from the British Treasury towards the revenue, in order that this long-agitated question may be at once set at rest by a positive declaration on the part of Her Majesty's Government. First, then, with regard to the advantages which the colony has derived, and does derive, from the presence of the convicts: on comparing the aspect of this colony, whose existence dates back only about forty-five years, with that of colonies of far older date, settled under different circumstances, we are at once struck with the appearance of wealth and prosperity which is manifested everywhere. The houses in the towns are well built of stone or brick; the streets are well kept; the roads are remarkably good; the wharfs and public buildings show evidence of a large outlay of labour. In the country districts the houses of the settlers are well built, the inns and houses of public entertainment are large and commodious; in fact, there is a general aspect of ease and affluence throughout the length and breadth of the land. If inquiry

Sir W. Denison's remarks on the advantages which Van Diemen's Land has derived from convict labour.

be made as to the original conditions of the persons who have been able to sink so much capital in buildings, &c., which yield no return, it will be found that in very few instances did these bring any amount of capital into the country. The whole of this has been the product of the labour—of whom? of the convicts. Without the cheap labour so freely and lavishly furnished, Van Diemen's Land would now have been in a state of poverty approximating to Western Australia, instead of exhibiting those indications of wealth and prosperity which are evidenced by an import and export trade amounting to upwards of 1,200,000*l.* per annum, and which is daily increasing and assuming a more healthy and substantial appearance. This is the result of the convict system in past years. What is the case at present? There are all together about 24,000 convicts in the colony, of whom about 7,000 are in the hands of the Government; the remaining 17,000 compose about three fourths of the working class; the whole of which, by the census, would appear to amount to about 24,000. The presence of these convicts, who supply the labour-market at a cheap rate, keeps down the price in Van Diemen's Land, as compared with New South Wales and South Australia. Here the ordinary wages of labour vary from 9*l.* to 12*l.* per annum. In those colonies they range from 18*l.* to 24*l.*; and the same proportion, or nearly so, holds good in the wages of mechanics and artisans. It may, therefore, be fairly said that a saving of 9*l.* per annum, on an average, is made in the wages of every one of the working class in this colony; and as this class contains, as before stated, 24,000 individuals, the saving to the employers of labour amounts all together to 216,000*l.*"

Effect on a colony of convict and cheap labour.

A colony having in the first instance profited, in the development of its resources, by *convict labour*, and subsequently by a supply of *cheap labour*, at a period when there was not sufficient prosperity or capital to induce emigration on a sufficiently extensive scale, would probably reach a state when the further reception of convicts in any form would be opposed, as it has been in New South Wales, and more recently to some extent in Van Diemen's Land. This, however, tends rather to show the importance of making timely provision for such a contingency than the difficulty or impracticability of doing so.

Whatever may have been the evils which have accompanied these evident advantages, I think they may be fairly stated to have been the result of circumstances the recurrence of which need not be anticipated; and it would appear that Van Diemen's Land has passed through an ordeal which, with the experience now obtained, may be averted in any future attempts; there appears, however, great reason to doubt the existence of these evils to the extent which has been ascribed to them.

Sir W. Denison, in a Despatch addressed to Earl Grey, dated 21st August 1851, observes as follows:—

Extract from a Despatch from Sir W. Denison.

"In my confidential Despatch, dated 31st August 1850, I have gone fully into the question of the moral effect produced by transportation upon the inhabitants of the colony; and the more I see of these inhabitants, and the more accurate knowledge I obtain of the character of those who occupy the continent of Australia, the more convinced am I that we occupy relatively to them a very high station."

WESTERN AUSTRALIA.

Western Australia.

In my last Report I stated that the experiment of affording the assistance of convict labour in Western Australia, so far as it had been tried, appeared to have been successful. All the intelligence that has since been received from the colony confirms the favourable view I was then enabled to take of that measure.

This colony had been long struggling with difficulties, which the colonists by their own unaided means had not the most distant hope of surmounting, and, therefore, it was, that, overcoming all the prejudices which had so long existed against the admission of convicts, they petitioned Her Majesty's Government for the formation of a penal settlement in the colony.

Its former lamentable condition, and the change that has been wrought in it by the aid of convict labour in the development of its resources, cannot, I think, be better indicated than by the extract from the "Western Australian Magazine," a publication which made its first appearance in October last, which is inserted in Appendix, page 143.

Governor Fitzgerald concurs in the view taken by the writer in the Magazine above alluded to, of the cause of the increased prosperity of the colony.

In a Despatch addressed to Earl Grey, dated 30th April 1851, after submitting a statistical statement for the past year, he makes the following remarks:—

Extract from Despatch of Governor Fitzgerald.

"This statement, my lord, bespeaks a degree of progress and prosperity unexampled heretofore in this colony, more especially so in commerce, shipping, and agriculture in some small degree.

"It cannot be questioned for a moment that the important changes introduced by the measures of your lordship in making this a penal settlement, in accordance with the expressed wish of the settlers at large, accompanied as it has been so judiciously, by a corresponding amount of free labour, then and now so much wanted, has contributed largely to these desirable results."

In the Appendix, page 148, will be found a return showing that the accommodation now existing in Western Australia is for 550 prisoners.

EXPENSES OF TRANSPORTATION.

Expenses of Transportation.

With a view to the further consideration of any measures affecting the number of convicts annually transported, and the expenses incurred, the following statement will afford some data for calculation.

Number of convicts sent to the Australian colonies.

The number of convicts sent to the Australian colonies from Great Britain and Ireland, from 1847 to 1851, both years inclusive, has been as follows:—

	Great Britain.		Ireland.	
	Males.	Females.	Males.	Females.
1847 - -	938	334	*Nil*	134
1848 - -	817	490	599	515
1849 - -	1,476	377	636	606
1850 - -	1,808	360	575	200
1851 - -	1,568	422	310	432

For purposes of calculation the annual average for Great Britain may be taken at 1,300 males and 450 females, together 1,750.

From Ireland about 600 males and 400 females are also annually sent out, raising the average number who are so disposed of to 2,750, of which 1,900 are males, and 850 are females.

Amount of Estimates for 1852–53.

The estimates for 1852-53 for services connected with the transportation of convicts amount to the gross sum of 101,041*l.*, which provides for the removal of 3,100 males and 800 females from Great Britain and Ireland to Australia, and of 800 to Bermuda and Gibraltar.

Deducting the probable expense devoted to the latter service, there might remain about 95,000*l.*, as the amount required for the removal of 3,900 convicts, or 24*l.* per head.

Estimates for convict expenses in Van Diemen's Land, &c.

The estimates for convict expenses in Van Diemen's Land, Western Australia, and New South Wales, amount to 188,744*l.*: viz.—

	£
New South Wales - -	7,600
Western Australia - -	73,100
Van Diemen's Land - -	108,044
Total - -	£ 188,744

The number transported does not reach 3,000 annually.

If under any circumstances a change of system were forced on the Government, by which the number sentenced or to be removed by transportation was greatly diminished, the only alteration in the present regulations that would be required, would be, an extension of the average period of detention from 3 to about 4 years.

Additional outlay should transportation cease.

The accommodation existing at Gibraltar and Bermuda, with such amount as might be available in the Australian colonies, together with the convict prisons at home, would probably provide for any accumulation that might be the result of such a modification of the existing arrangements.

As regards the expense of any plan for diminishing the number to be transported, there is no question that it would be a measure of economy.

ESTABLISHMENT OF DISTRICT PRISONS.

District prisons.

Few persons beyond those whose duties bring them into immediate connexion with prisons, are aware of the great inequality of sentences passed in the different courts for similar offences; nor is it generally known that so few are sentenced to long terms of imprisonment, and so large a proportionate number to short terms of transportation, thus omitting altogether such an intermediate and lengthened term of imprisonment as would give a more just and proper gradation of punishment for different offences.

Numbers sentenced to transportation and imprisonment.

It will appear by reference to the criminal tables, that, taken on the last 10 years, the average number of prisoners sentenced to 7 and 10 years transportation has been 2,626, and that the average number sentenced to imprisonment has only been as follows :—3 years, and above 2 years, 5 ; 2 years, and above 1, 473 ; 1 year, and above 6 months, 2,380. There are now so many prisons in which separate confinement for 12 months might be enforced, that I am disposed to believe, that if District Prisons for carrying out the remainder of long sentences were established, a sentence of 2 to 3 years' imprisonment would have a sufficiently deterring effect, and the difficulties arising from the great number sentenced to transportation would be materially diminished.

Reformatory effects of imprisonment have not yet been tried.

As regards sentences passed in court, it would appear proper that imprisonment should be carried to its fullest extent before recourse be had to transportation ; but, practically, neither the deterring nor the reformatory

effects of imprisonment have ever had a trial on a sufficient scale to test their efficiency, excepting in the case of convicts under sentence of transportation. The experience, however, of the last few years carries with it the most conclusive evidence in favour of such a system, and if it were only to avoid the inconvenience and expense of transportation, it is well deserving of attention, especially in an economical point of view.

Lengthened periods of imprisonment have not hitherto been resorted to, partly from there being no existing prison where sentences exceeding 12 months could be properly carried into effect, and partly, from a sentence of transportation in former times affording so easy a solution of all difficulty both as regarded expense and final disposal.

With a view, however, of providing a remedy for this defect, and, at the same time, the means of reducing the number of convicts sentenced to transportation, it appears to have been the object of the Select Committee of the House of Commons in 1850 to press on the attention of the Government the importance of erecting District Prisons expressly for the reception of all prisoners sentenced to periods exceeding 12 months. The resolutions of the Committee are as follows:—

Resolutions of Select Committee on District Prisons.

"14. That after prisoners under long sentences have undergone a period of separate confinement, the remainder of their sentences ought to be passed under a system of combined labour, with effectual precautions against intercourse.

"15. That this object would be greatly facilitated by the erection of district prisons, at the national cost, for the reception of prisoners under long sentences after they have undergone such previous separate confinement.

"16. That such district prisons should be maintained at the national cost, and the government of such prisons, and all appointments and salaries of officers, ought to be under the control of Her Majesty's Government."

The measures necessary to give effect to these important recommendations have received some consideration since the date of my last Report, although no steps have yet been taken for carrying them out.

Additional accommodation.

With regard to the additional accommodation, which may be required, it may be assumed that, if facilities existed for carrying into effect sentences of imprisonment extending from 18 months to 3 years without expense to the counties and boroughs, a large proportion of the

present sentences to 7 years' transportation would be changed to imprisonment.

The following statistics may serve as data for calculation :—

In the year 1850 there were sentenced to 7 years' transportation - - - -	1,369
To imprisonment of 3 years and above 2 - -	4
To imprisonment of 2 years and above 1 - -	551

If of these we take 1,000 of the sentences for 7 years, and allow 600 to cover the sentences of imprisonment, the number to be provided for will amount to 1,600.

The average sentences on this number might probably be assumed at $2\frac{1}{2}$ to 3 years.

Separate confinement before being sent to District Prisons.

It is recommended by the Committee, and it is an important condition to enforce, that all prisoners, previously to being sent to a district prison, shall have undergone a probationary period of separate confinement in the County Prison. This period would, probably, vary from 6 to 12 months, and might be taken at an average of 9 months, leaving from 21 to 27 months of the entire sentence to be passed in a District Prison. From this period there would be deducted a small proportion to be remitted as an encouragement to good conduct, leaving from 18 to 24 months as the actual period of confinement.

Accommodation acquired.

On these data the entire accommodation required in the District Prisons would amount to one and a half or twice the number annually sentenced, that is, from 2,400 to 3,200.

As regards accommodation, the 1,000 convicts withdrawn from the number annually transported are now imprisoned for an average term of $2\frac{1}{2}$ years, and thus as a body occupy 2,500 cells. The additional accommodation required for the new class of prisoners would not, therefore, on the assumed data, exceed 3,200 – 2,500 = 700 cells.

Locality of District Prisons.

Locality of district prisons.

With regard to the general locality of district prisons and their extent, much would depend upon the means that might exist for the profitable application of the prisoners' labour.

On this point, which is one of great importance, I would beg leave again to submit the few observations which occur in my Third Report :—

Value of convict labour.

"There can be no question that, if it be necessary from any cause to carry into effect probationary periods of discipline in this country, and that, in consequence, a body of 10,000 or 12,000 men are to be maintained by the Government, they ought to be usefully employed. It is a *confiscation of labour* in which the Crown has a vested interest.

"This, as a matter of *finance*, will not in the opinion of some be regarded as the least of the questions to be considered, and by all will be acknowledged to be of some importance.

"If the least amount of money paid for the maintenance of convicts, who by sentence of the law are placed at the mercy and disposal of the Crown, were to be the test of a good system, it were easy to make them profitable to the State.

"A handful of soldiers to quell open mutiny, and a small but resolute staff of turnkeys to lock and unlock the strong rooms in which the men might be secured, would not cost much, and on suitable works the value of their labour would certainly exceed the cost of such maintenance.

"But in this Christian land such modes of discharging the responsibility of acquired authority will never again be tolerated; and in realizing all that is possible in order to reduce the cost, the moral discipline and industrial training must be provided for, no matter what the expense. It is satisfactory, however, to reflect, that the more judicious the arrangements for obtaining the willing industry of the convicts, the more effectually will those objects be promoted; and it may, therefore, turn out that the administration of a corrective and reformatory system may also be found to be the cheapest as well as the best.

"One of the objects at Portland is, to show to what extent this can be done consistently with other and more paramount considerations, and when the system shall have been tested by experience, I hope, with the co-operation of the Admiralty and Ordnance authorities, to be enabled to render the labour in the dockyards and arsenals much more useful and valuable than it ever has been."

Value of labour at Portland for last three years.

The experience since gained at Portland has more than realized all my expectations, both as regards the character and conduct of the men, and the amount of work executed.

The ascertained value of the work performed at Portland for the last three years is subjoined. As regards the past year, it has exceeded the entire cost of the establishment, and there is no reason to doubt that wherever there exist the same facilities of employment, a similar result will be obtained.

	£	s.	d.
1849 - - -	7,214	6	11
1850 - -	14,067	16	7
1851 - - -	20,541	15	5

I have carefully considered the subject, and am of opinion, that whenever the nature and extent of any work

required the employment of from 500 to 800 men for a period of five or six years, it would justify the erection of a removable prison, and the formation of a convict establishment for the purpose of executing it.

Works suitable for the employment of convict labour.

Harbours of refuge, fortifications, docks, &c., are the description of works the most suitable for the employment of convicts, from there being a large proportion requiring only unskilled labour. The works now in progress at Holyhead and the Channel Islands are of this nature, and the large docks recently executed at Portsmouth and Plymouth would have been well adapted for the purpose.

Adam Smith observes, that "the third and last duty of a sovereign is that of erecting and maintaining those public institutions, and those public works which, though they may be in the highest degree advantageous to a great society, are, however, of such a nature as that the profit could never repay the expense, and which it cannot, therefore, be expected that any individual should erect or maintain."

It is unnecessary for me to state how many such there are of the most urgent national importance, both as regards our defences and protection to the commercial marine.

If, however, as I have said before, it becomes necessary, from any cause, to maintain in this country a large body of convicts, their labour may be most usefully and advantageously applied to such purposes.

Agriculture.

Employment of convict labour in agriculture.

In the event of there being no public works to which the labour of the prisoners could be devoted, with a view to realizing the cost of their detention, the less profitable application of it to agriculture might be resorted to. In such a case my general view would be to obtain two or more tracts of good land in a dry and healthy locality, contiguous to a railway, and in such a situation as to be conveniently accessible from the more densely-populated parts of the country, so as to reduce to a minimum the cost of the removal of prisoners.

Purchase of buildings and sites.

As the purchase of such tracts of land and the erection of the necessary buildings would entail a considerable outlay, it might be a subject for consideration whether it might not be expedient to obtain the money on the security of the Government from the Exchequer Loan Commissioners, and provide for paying off the principal and interest in 20

years by annual instalments, a practice which is very constantly resorted to by counties and boroughs in the erection of prisons.

Discipline in District Prisons.

As regards the course of discipline which should be established, the Special Committee of the House of Commons recorded their opinion in the following resolutions:—

Resolutions of House of Commons Committee.

"6. That individual separation of prisoners, termed 'the separate system' of imprisonment, contemplated in the 2 & 3 Vict. c. 56, has been adopted in Pentonville prison, and in many county and borough prisons."

"9. That, while the evidence as to the results of the system is in some respects conflicting, the great preponderance of evidence, including that of almost all the visiting justices and officers of the prison in which it has been in operation, and who have been examined by this Committee, is highly favourable to it, and this Committee is of opinion that, if conducted under proper regulations and control, separate confinement is more efficient than any other system which has been yet tried, both in deterring from crime and in promoting reformation."

"12. That it ought also to be applied to prisoners under long sentences during the earlier period of their imprisonment, but this Committee does not recommend that it should in ordinary cases be enforced for a longer period than 12 months."

Mode of carrying out sentences.

In giving effect to these resolutions, it would be convenient that sentences of 12 months and under should be carried out in the county or borough prisons, but that the longer sentences, extending from 18 months to 3 years, should be divided into two probationary periods, similar in principle, and in the details of management, to those which have been so successfully adopted for convicts under sentence of transportation.

First period in separate confinement.

The first period would be passed in separate confinement for a term of from 6 to 9 months (according to circumstances in the county prison, the remainder in the district prison.

Imprisonment before trial to be reckoned.

In cases where the recommendations of the Committee in regard to separating prisoners before trial were fully enforced, the reformatory effect of such a period of imprisonment would enable the authorities to take them into account, and remove prisoners who had been some months in confinement before trial at an earlier period.

CONDITIONAL PARDONS IN THIS COUNTRY.

Former method of disposing of sentences of 7 years' transportation.

Until within a very recent period, all convicts under sentence of transportation for 7 years were indiscriminately sent to the Hulks, where it is notorious they were placed in circumstances that could not fail to be in the highest degree demoralizing.

After this course of training they were, very generally, released with a free pardon at the expiration of about one half the period of their respective sentences. The number so released was very considerable; and there can be no doubt that the greater proportion of them, if not originally so, had become desperate and dangerous characters. In the 5 years from 1843 to 1847 no less than 3,450* were so released from the Hulks in England and Bermuda.

There could have been little chance of any such obtaining employment by their own exertion, and no steps were taken by others to procure it for them; and yet, though it might fairly have been anticipated that the consequences of such periodical additions to the criminal population would have been seriously felt, so far as I have been able to ascertain, no material effect was produced.

Facilities for disposal of convicts with tickets-of-leave.

Since the subject of convict discipline has engaged the anxious attention of the Government, and ameliorations have been introduced, which would render the release of certain classes of criminals in this country comparatively harmless, there have existed great facilities for the disposal of all convicts in the colonies with tickets-of-leave. This has rendered unnecessary the consideration of any measures calculated to remedy the evils which might naturally have been expected from the former practice of granting free pardons after a course of training in the Hulks.

Changes in convict prisons.

The change introduced of late years into the convict prisons, and experience of the favourable effects which have been produced on the general character of the convicts by an improved discipline, confirm the opinion I expressed in my Third Report for 1849, that—

Suggestion of means for reducing number of convicts annually to be sent abroad.

"Looking to my own experience, and to the opinion of others who have had better opportunity of judging, I do not hesitate to express my conviction, that it would be quite possible, without detriment to the public interests, materially to reduce the number of convicts to be annually sent abroad, by granting conditional pardons to the best conducted men, after periods of confinement proportioned to their respective sentences, on their showing that they had the means of earning their livelihood, or obtaining securities for their good conduct."

* See Return, Appendix, page 108.

Conditional pardons in this country.

In the event of its becoming necessary to dispose of convicts on discharge in this country, I would further venture to repeat the suggestion that, as a means of giving more effectual security to the public, some of the restrictions enforced in the colonies on the holder of a ticket-of-leave might be advantageously applied to a convict receiving a conditional pardon in this country, and that the system of requiring sureties for good behaviour might also be called in aid.

I am encouraged to believe that such measures, if carried out with due regard to individual character and circumstances, would not entail any sensible inconvenience; and I am supported in my opinion by the views of the Commissioners of Pentonville, recorded in their Sixth Report, signed by the Earls of Devon, Chichester, and Harrowby, Sir W. Molesworth, and others. They say—

Extract from Report of Commissioners of Pentonville prison.

"We conclude these general observations by a remark suggested by the joint consideration of the favourable and unfavourable circumstances in those Reports.

"These appear to us to demonstrate, that, whilst the discipline and instruction at Pentonville have not in all cases prevented the exiles from relapsing into crime when exposed to severe trials and demoralizing associations, by far the greater part of them have become useful and valuable servants, superior, as we are told, to the average of free emigrants.

"We regard this view of the subject as highly encouraging; for it seems to prove that if this system were generally introduced, a large proportion of our convicts *would be qualified, on their discharge, to occupy an honest position in their own or any other country;* and if so, we believe that, under ordinary circumstances, there would seldom be wanting motives of self-interest and benevolence to afford them that employment which would enable them to become useful and exemplary members of society."

Sir W. Colebrooke, Governor of Barbadoes, who has brought his great ability and experience to bear on this point, thus adverts to the same subject, and to the operation of a system of tickets-of-leave in that island.

His Excellency states, in a Despatch to Earl Grey, dated June 9, 1851:—

Operation of tickets-of-leave in Barbadoes.

"Of the number of those discharged with tickets-of-leave under the Act (13 Vict. c. 21), and the reports made to me of their industry and good conduct, none have been recommitted for any offence, and the grant of good conduct badges to prisoners has tended further to encourage orderly behaviour in the jail. Three prisoners, whom from their characters it was undesirable to associate with the others, are worked separately in the gaol yard, and the extra work they perform after the completion of their tasks is allowed to them, without diminution of the term of their sentences.

"The success during the last two years of the Act for granting tickets-of-leave has proved that under a reformatory system of prison discipline, by which incentives to good conduct are held out to prisoners, it is practicable, with the assistance of the magistrates, aided by a rural constabulary, to guard against the renewal of bad habits, to which discharged prisoners are exposed in populous places, and adverting to the difficulties attending the deportation of convicts, arising from the reluctance of other communities to receive them as such, it is important to have ascertained that they can be corrected and controlled at home, although in many cases their voluntary emigration may be afterwards encouraged with advantage to themselves and to the public.

Operation of tickets-of-leave in Barbadoes.

"One effect of a reformatory system of discipline in prisons acting on the habits of convicts, and holding out to them the means and motives for improving their own characters, may be expected to be the removal of the popular objection to employing them when discharged with favourable testimonials of their conduct from the prison authorities, and especially when withdrawn from the influence of evil associations by the surveillance exercised over them, as holders of 'tickets-of-leave;' nor is it improbable that the reluctance to receive them as emigrants, in other communities where labour is in greater request, would yield to the acknowledgment that they had been previously restored to society, without a renewal of their depraved habits and associations."

It is a great, though a very common mistake to regard all who receive a sentence of transportation as being irreclaimably bad, and as being of one class, and sunk to the same depth of moral turpitude. The fact is not so. There is every shade of difference in character, as well as in the circumstances of temptation under which their crimes may have been committed.

The experience of all who have the best opportunities of judging will, I am satisfied, coincide with the opinion of the Committee of the House of Commons, 1850, as expressed in the following resolution:—

"That the Committee concurs with some of the most experienced witnesses they have examined, in the opinion that a great majority of convicted prisoners are open to the same good motives and good impulses which influence other human beings, and, therefore, that a system of encouragement to good conduct, and endeavours to inspire feelings of self-respect, self-reliance, and hopefulness for the future, which have been tried in some of our largest establishments, ought to be adopted, so far as it is practicable, without impairing the penal and deterring character essential to any system of imprisonment."

Resolution of Select Committee of House of Commons.

Mr. Carleton Tufnell, one of Her Majesty's Inspectors of Schools, notices an important effect resulting from the training in a well-conducted school; and the same may

be said of long continued prison discipline carefully administered. He observes,—

Important results of training in an industrial school.

"Whatever may be the condition of the country as respects the demand for labour generally, whether in the scarcity of 1846 or the abundance of 1851, the children from a well-conducted pauper school, where their industry and morals are duly attended to, have no difficulty in obtaining employment. Establishments that have got a character, as some have, for turning out honest, intelligent, and hard-working servants, need not trouble themselves about finding situations for those they educate. Employers in abundance will voluntarily come forth, and it is not unfrequently considered as a favour to be allowed to take the next girl or boy that is fitted for service. On the other hand, whenever there is a difficulty of disposing of the pauper children, and strong and healthy boys and girls are found swelling the lists of workhouse inmates long after they are able to earn a livelihood, I believe the cause may invariably be traced to an inattention either to their morals or their industry. They are not honest, and they won't or can't work. Such establishments have got a character for turning out inefficient servants, and, consequently, no one applies for them.

"One of the best tests I know for deciding whether the instruction imparted to the pauper children has been efficient or otherwise is, by inquiring whether, among the adult paupers, there is any one who has been brought up in the school. A good education so infallibly dispauperises, and raises its recipient above the necessity of ever again applying for relief, that except under gross mismanagement of the guardians in other points, we may be tolerably certain that vicious habits, easily eradicable by sound early training, have brought the great majority of those who burthen the parochial rates to their state of dependence. Could this truth be more universally impressed on the managers of the poor the difficulties in the way of forming industrial schools would vanish!"

CONSTRUCTION OF PRISONS, AND MEANS OF ENFORCING HARD LABOUR.

Construction of prisons.

No alteration of any importance has suggested itself for improving the construction of prisons.

Recent experience, however, appears to indicate, that the division of the exercising yards, and the separate stalls in chapel, might be dispensed with. Their chief value consists in preventing recognition; and, excepting in the case of prisoners from large cities and towns, this is not an object of great importance, as the separation on discharge of prisoners in the country is sufficient to prevent the inconvenience which might arise where prisoners are con-

gregated in large towns, and would have the opportunity of recognizing each other.

Uniform system of discipline in all prisons.

The great object at present appears to be to make the most of the extended facilities which have been gained for the introduction of *a uniform system of discipline in all prisons*, and for giving effect to the resolutions of the Select Committee of the House of Commons, in respect to enforcing separate confinements alike to the tried and the untried, and, in all cases, to carry into effect the sentence of the Court in regard to hard labour.

The Committee of the House of Commons made the following resolution, bearing on the question of individual separation, combined with the enforcement of hard labour:—

Resolution of House of Commons Committee on hard labour.

"That hard labour is not incompatible with individual separation, and that where they have been tried in combination, as in the county prison at Leicester, the effect has been remarkable in the decrease of the number of committals, especially under the Vagrant and Malicious Trespass Acts."

Hard labour machines.

During the last year, several persons have turned their attention to a more simple and economical hard labour machine than has been yet in use; and one which appears to unite these essentials is sketched in Plate 7.

Pentonville cells not well adapted for hard labour.

Cells of the construction of those at Pentonville are, however, scarcely adapted for hard labour, especially during the summer months; and I think a continuous shaft, with separate crank handles, arranged in an open shed, divided into small compartments by corrugated iron partitions, will in some respects be found preferable.

Where machines have been already introduced into cells the means of admitting more fresh air through the windows will be desirable. The ventilation in the new prisons, when properly worked, is amply sufficient for sedentary employment, but real hard labour can only be carried out conveniently where there exists a free current of air.

As regards the general question of enforcing hard labour, concerning which there is reason to believe that much misapprehension still exists, I would observe that the 4 Geo. IV. c. 64. s. 10. provides as follows:—

Clause in Act of Parliament on hard labour.

"Due provision shall be made in every prison for the 'enforcement of *hard labour* in the cases of such pri- 'soners as may be sentenced thereto, and for the *employ- 'ment* of the prisoners. The means of hard labour will

" be provided, and the *material* requisite for the *employ-*
" *ment* of prisoners shall be purchased under such
" regulations as may be made for that purpose by the
" Justices in General or Quarter Sessions assembled."

The 8th rule further provides that "Every prisoner
" sentenced to hard labour shall, unless prevented by
" sickness, be employed so many hours every day, not
" exceeding 10, exclusive of the time allowed for meals,
" as shall be directed by the rules and regulations to be
" made under this Act."

In these rules will be observed the wide and proper distinction which should exist between the treatment of a prisoner under sentence of hard labour, as adverted to in the foregoing Act—and one who is entitled to employment, such as a prisoner in separate confinement before trial, under the provisions of the 2 & 3 Vict. c. 56.

It may be difficult to mark precisely the line of demarcation where hard labour ends and employment begins; but it is reasonable to suppose that it was contemplated in the Act that *hard labour* should be strictly *penal* in its character; and I am confirmed in this opinion by what I believe to be the fact, that treadwheels were first introduced into prisons immediately subsequent to the passing of the Act, and were then used for enforcing such a sentence.

Hand cranks for hard labour.

I was led to recommend hand cranks as a means of hard labour from their affording a better opportunity of securing the advantage of separate confinement than under circumstances where it might be necessary to remove the prisoner from his cell to the treadwheel, and from their being more economical in the first outlay than the erection of treadwheels where they did not already exist.

Profits from hard labour.

In connexion with this question is one which is frequently adverted to, viz., that the labour should be made *profitable;* and that, as regards the moral training, it would be of advantage to render it *useful and attractive* to the prisoner.

With respect to profit, the experience gained in applying the collective power of a treadwheel to the manufacture of flour, or other purposes, is, I believe, unfavourable.

I fully admit the moral advantages to be gained by a long course of industrial training; but I conceive that this can only be obtained by the almost entire sacrifice of the distinction between *employment* and *hard labour*, and is not, therefore, suitable for short sentences.

Lord Denman's observations on instruction in prisons.

Lord Denman, in his reply to Lord Brougham's queries, in 1847, remarked:—

"I greatly dread the effect of giving them benefits and privileges which they never could have hoped for but from the commission of crime. I own myself *extremely jealous of the gratuitous instruction of the young felon in a trade*, merely because he is a felon, and of the displacement of the honest man from employment by *his* success in thus obtaining it."

As regards adults, I conceive the principle objected to by Lord Denman would be much stronger. If the reformation of a prisoner were *the sole object* to be attained, there could be no question on the advantage of abolishing every thing in the shape of *penal* labour; but the reformation of any number of prisoners, unless the discipline to which they had been subjected had been distasteful and severe, would never deter *others* from crime, nor be regarded in the light of an exemplary punishment.

Lord Denman, in the reply from which I have just quoted, observed as follows:—

"I hold the only legitimate end of punishment to be to deter from crime; but I think I perceive in some of the theories of benevolent men, such a mode of administering the criminal law as to encourage instead of deterring."

The observations which I have ventured to make are intended to apply exclusively to prisoners under short terms of imprisonment, and must not be taken to convey my opinion on the very different course of discipline to which the Government has determined that convicts under sentence of transportation shall be subject. In such cases a course of training and corrective discipline for long periods very properly precedes the main feature of the sentence, which consists in the removal of a convict to a penal colony.

Classification of Prisoners and Gradations of Punishment.

In connexion with this subject, I am anxious to repeat the observations which I made upon the Classification of Prisoners, &c. in my last Report:—

Remarks on the classification of prisoners.

"Whilst advocating a stringent and repressive system of discipline for all short periods, I am no less impressed with the advantage of encouraging good conduct by the hope of reward. The discipline of the Military prisons has been founded on this principle, and I have watched with more than ordinary interest its effects on the repression of crime in the army, and on the conduct and health of the prisoners, from a feeling that it would

Remarks on the classification of prisoners.

afford the best possible opportunity of judging of the influence of the different measures which might be adopted.

"It appeared to me, also, that whatever might be the difference in the conditions between military and civil crimes, the object to be attained in prisons being common to both, any success which might attend an experiment steadily carried on in either, would afford some useful hints more or less of general application.

Gradations of punishment.

"This led me to bring the principle of *classification* and a *gradation of punishment* under the notice of the magistrates of Hampshire at the time when the means of enforcing hard labour in connexion with separate confinement in the new prison at Winchester was under their consideration; and they were induced to determine on making the experiment.

"The result of the first trial of this principle in a county prison has, I believe, been satisfactory; and as further experience is gained of its effects, the proper limits between a maximum and minimum amount of hard labour will be made apparent. I see no reason to doubt that it will be found to combine elements of punishment and reformation, calculated to promote the objects of prison discipline.

Strict penal discipline required during short periods.

"In the generality of cases no reasonable expectation can be formed that a prisoner's character can be improved by instruction, or other ameliorating influence, during very short periods of confinement; but if such cases be disposed of by enforcing strict penal discipline, with a view to deter from crime by the fear of its consequences, the principle of classification will provide during longer periods such progressive remissions as will afford encouragement to the well-conducted prisoner, leaving the severity of the discipline to fall on re-committed prisoners and those who deserve it.

"When crank machinery or a treadwheel is in use, there exist great facilities for establishing a gradation of punishment suitable to the different classes. For example, if, according to the Regulations established by the Directors of Prisons in Scotland, the maximum amount of labour was to the extent of 1,440 revolutions per hour for ten hours, the minimum might be an equal number of revolutions per hour for five hours, and prisoners who gained such remission might be employed during the hours they would otherwise have been at hard labour in some kind of light labour or industrial employment, or they might receive additional instruction in school.

Deprivation of bed.

"In considering the means of increasing the stringency of the discipline, and bringing it to bear with greater effect on the lowest class of prisoners, and on such as prove to be incorrigible, also on prisoners re-committed to prison, it is deserving of consideration whether giving them a less comfortable bed for certain periods, or on alternate nights, might not be desirable. The physical comforts of a prison are of necessity greater than the majority of prisoners enjoy when at liberty; and if without injury to health these can be abridged, a more deterring effect will be produced by the discipline, both on the individual himself and the criminal population generally."

Regulations for Hard Labour Machines.

Regulations for hard labour machines.

In my Fourth Report, page 58, I have given full details of the rules laid down by the Directors of Prisons in Scotland, which provide that a prisoner shall be required to register 24 revolutions per minute for 10 hours, making altogether 1,440 per hour, and a total number of 14,400 a day.

Exceptional cases would, as in all other circumstances, require to be provided for.

Under the existing rules for prisons, authorized by the Secretary of State, the scale of labour on treadwheels is, I believe, limited to a maximum ascent of 13,000 feet, which, if the steps be assumed at 8 inches apart, would require 17,300 steps. I am not prepared to go into any nice calculation of the difference between a revolution of the handle of a crank and a step on the wheel. They both involve exertion of arms and legs. Much would depend on the pressure placed against the crank, and on the weight and muscular power of the individual on the wheel, but assuming the pressure on the crank to be light, (and it is the continuous labour of turning the handle to which the prisoner in general objects,) I believe that the labour usually enforced on the wheel is fully as severe as that which is executed on the crank; at least, the two might, as a general average, be brought to an equality, reckoning a step of the wheel and a revolution of the crank as the same.

It must be remembered, however, that the treadwheel cannot be regulated to be suitable to the strength of individuals, whereas the crank can be so adjusted; and the imposition of too much pressure is, in my judgment, the only point in connexion with their being brought into general use that requires to be carefully guarded against.

The discipline and practice in different prisons vary so much, that nothing is more uncertain than the nature and amount of punishment involved in the same sentence in different counties.

It is in the power of the Secretary of State to frame rules for regulating the routine of hard labour; and it would appear most desirable to establish some uniform system, based upon acknowledged principles, such as Parliament would sanction, and a great body of the magistrates would cheerfully carry out.

JUVENILE DELINQUENCY AND DESTITUTION.

Juvenile delinquency and destitution.

At the present time, when more than ordinary attention is directed to the measures required for repressing juvenile delinquency, and for promoting the moral and industrial training of the destitute and neglected children who exist in the nurseries of crime to be found in all large towns, it would seem desirable to notice the place which institutions similar in their character and discipline to Parkhurst Prison would occupy in connexion with so important a subject of inquiry.

In my Second and Third Reports, embracing the periods up to 1847 and 1851, I endeavoured to point out some of the defects of the present system of dealing with juveniles, and some remedial measures were suggested.

Committals for short periods.

Experience appeared to have proved that committals for short periods to the ordinary discipline of a prison, so far from being calculated to repress crime, were more likely to promote it; that the practice had, in too many instances, the effect of exposing boys to various contaminating influences; and that even under the best management there were insuperable difficulties in the way of framing and carrying out within an ordinary prison any system of discipline suitable to the circumstances and objects.

In the usual course a juvenile criminal, after frequent re-committals, receives a sentence of transportation, and with it the stigma and brand of a convict, which adheres to him for life. It not unfrequently happens, also, that such a sentence is passed upon him for some trifling offence, with the benevolent view of removing him from the pernicious influence of his home, and placing the power and the duties of his dissolute parents in the hands of the Government.

Neglected state of lowest classes.

All who have attentively considered the present neglected state of the lowest classes, and are at all aware of the magnitude of the evils resulting from it, will admit that, up to this period, a too narrow economy has caused a question of the highest social interest, and even of justice, to be subordinate to one of present *outlay*, I do not say of *economy*, because I believe it would be a wise economy to spend more in means of *prevention*, with a view to spending less in the *punishment* of crime; and this would be effected by making proper provision for the training of those classes who are now virtually shut out from all the recognized means of suitable instruction, and are left to the unaided exertions of benevolence.

The lowest classes are in far greater need of the assistance of the State than those who are now within the influence of the instruction given in the National schools, and it would be for the interest of all concerned that assistance should be afforded, under such regulations as would facilitate and promote objects, which have hitherto been left to the desultory efforts of individuals. Thanks to Lord Ashley and others, whose names will go down to posterity in connexion with this most important subject, we have not now to inquire what is wanted, nor are we left in ignorance as to the means of obtaining it.

Boys under sentence of transportation.

As regards boys under sentence of transportation, the annual Reports on Parkhurst will fully explain the course of discipline to which they are subjected, and the way in which they are finally disposed of. But the question is, whether boys of ages varying from 9 to 14 or 15 ought to be so severely dealt with, or to have the brand of a convict put upon them, when, taking all circumstances into consideration, they have never had a chance of doing well. And it may, also, be asked, if they are the very worst of a bad and dangerous class, ought they to be placed in a better position as regards moral training and future prospects in life than is attainable by the most honest and well-conducted of the poorer classes?

If the Government be responsible for the administration of the sentence of the law on juvenile prisoners it is a clear duty that the utmost care should be taken that the course of discipline shall be directed to reform and prepare them for freedom; and no other course but that which is pursued at Parkhurst suggests itself. But the treatment and disposal of a small insulated section cannot be satisfactorily arranged without taking a comprehensive view of the condition of the whole body to which they have belonged, and extending to all those benefits which by an *inversion* of the proper order of things have been *forced* on a small proportion in consequence of their having violated the law.

I propose, therefore, briefly to notice; first, some of the causes of crime and preventive measures; secondly, the treatment of juvenile criminals; and thirdly, their disposal.

Causes of Crime and Preventive Measures.

Causes of crime and preventive measures.

Public attention is now becoming more alive to the importance of this subject, both as a moral obligation and as being calculated to diminish the enormous outlay in the punishment of crime and its attendant expenses.

Causes of crime, &c.

The causes of crime are too numerous and too subtle to be fully exposed; but if steady and systematic efforts be directed against those prominent and undeniable causes which are open to the face of day and capable of demonstration, the evils which now so loudly call for legislative interference, and for the strenuous exertions of every individual member of society interested in the welfare of his neighbourhood, will gradually yield.

It is very generally admitted by those who have had the best opportunities of forming an opinion that, making allowance for difference of circumstances between town and country, the main causes of crime are as follows:—

1. Drunkenness.
2. The total inadequacy of accommodation to secure the most ordinary decencies of life in the houses of the lower classes.
3. The demoralizing and vitiating effects of penny theatres, balls, concerts, and low places of amusement.
4. Facilities for disposing of stolen goods.
5. The want of any recognized means of education and industrial training for the lowest classes.

Many more co-operating causes might be designated, but the foregoing are each and all susceptible of abatement. They only require to be grappled with in a vigorous manner by the combined action of the legislative and local authority, and the efforts of benevolence; and more good would soon be effected than any one unacquainted with the magnitude of the evils would deem to be possible.

Extract from Report of Capt. Williams.

Capt. Williams, Inspector of Prisons, in his Sixth Report on the Northern and Eastern District, makes some very valuable observations on the causes of crime, and the treatment of juvenile prisoners, and points out the difficulties that will have to be encountered. An extract from his Report is inserted in the Appendix, page 148.

Mr. Thomson of Banchory House, near Aberdeen, whose name is associated with the very effective measures which have been brought into play through the agency of Sheriff Watson's schools at Aberdeen for suppressing juvenile delinquency, in a small but valuable work,* makes the following very forcible remarks on the subject:—

Extracts from a work by Mr. Thomson of Banchory.

"It is not enough for society to reform criminals after they have led lives of crime for years; it has another and a greater, and, happily, it is also an easier work to accomplish, and that is,

* "Social Evils, their Causes and Cure."—Nisbet, 1852.

to *prevent* the growth of a population of juvenile offenders, ready and willing, year after year, to fill up the places of those who may have been reformed, or removed from the country. The work is not to cleanse the polluted stream after it has long flowed on in its pestilential course, but to purify the fountain whence it draws its unfailing supply. Extracts from a work by Mr. Thomson of Banchory.

"In order to get a right view both of our state as a nation, and of our duty in regard to our neglected juveniles, it is necessary to take a brief survey of the principal causes of crime amongst us, and likewise of the principal agencies at work to counteract them. Until we know something of both the one and the other, and the various circumstances which foster the evil and repress the good, we are not prepared to form a just judgment of what we truly have to do: we cannot appreciate either the nature or extent of our work

"The work we have to accomplish may, in general terms, be defined as the solution of the problem, 'How are we effectually and permanently to diminish for the future the numbers of our juvenile criminal population?' and it will be found to be twofold —some things to be *undone*, and others to be *done*.

"What we have to *undo* is whatever has a tendency to create or encourage offences; and unhappily not a few of our social arrangements and habits are of such a character that they may be fairly and justly described as most efficacious means of producing and fostering dangerous classes in the community. While such laws or habits are maintained and cherished we must expect to reap more or less of their natural fruit, whatever counteracting agencies may be kept in operation; and the work can never, while they exist, be satisfactorily accomplished, because, just as the curative or preventive measures take effect on the one hand, so will the producing causes go on to supply a fresh population of juvenile offenders on the other. Duties of authorities.

"What we have to *do* is to devise and carry out such measures as shall take possession of all juveniles who may be placed in such circumstances as to be evidently preparing for a life of crime, or who may already have entered upon it, and keep hold of them until they have been trained up in the knowledge of the right way, and fairly started in a course of well doing.

"That this is practicable, not even very difficult, is the great object of these pages to demonstrate, and the proof will not proceed upon the mere assertion of abstract principles, but upon *practical experience*, acquired first in one town, and gradually confirmed in others, and so simple as to be applicable to every place where neglected juveniles exist.

"One word of caution may be requisite. The supporters of industrial feeding schools, though perfectly confident in their efficiency for their proper ends, have no sympathy with those who hold the *perfectibility of human nature*.

"Human nature is in itself corrupt and sinful, and no work of man can change it. While the present state of probation continues, sin (or crime) must exist; but the great mission which

Extracts from a work by Mr. Thomson of Banchory.

God has given to those of His creatures who love Him and desire His glory, is to reduce the number of offenders against His laws; and, by His blessing on their endeavours, He enables them to a large extent to succeed. And this is precisely the object which the present movement on behalf of our outcast juveniles is intended and fitted to attain. This much their supporters are confident they can do; and to ask or expect more from them is to demand impossibilities—it is to expect them to produce a state of things which cannot be 'until the times of restitution of all things.' What they *can* do presents a field of labour extensive enough and results attractive enough to call to the work the best energies not only of Christian men but of mere philanthropists and political economists."

First, as regards drunkenness, he observes:—

Drunkenness.

"Statistical returns show that the amount of money expended in intoxicating drinks of one kind or another in Great Britain is between 50 and 60 millions of pounds sterling per annum, a sum fully equal to the whole national revenue.

"Now such an enormous expenditure on any one object must produce a noticeable effect upon our social condition. Were such a sum annually expended on the reclaiming of waste land and the improvement of what is but partially cultivated, and the erection of comfortable dwellings, in a few years our whole island would be a garden of beauty and fertility.

"But what are the results produced?

"The physicians of our lunatic asylums tell us that intemperance is the cause of a large proportion of the cases of insanity.

"The medical officers of our infirmaries and dispensaries tell us that many diseases are caused, and more are made fatal, by habits of intemperance.

"The masters of our poor-houses tell us that they can trace the pauperism of most of their inmates to their own intemperance, or to that of their parents.

"The governors and chaplains of our prisons tell us that most of the crime in our gaols is directly or indirectly caused by strong drink.

"Thus, in Preston prison, Mr. Clay reports as follows:—

"In 1846,	out of	1,105	cases, drink caused	453
"In 1847,	„	1,144	„ „	425
"In 1848,	„	1,471	„ „	408
"In 1849,	„	2,105	„ „	752

"And of the last year he adds, 'If the offences to which habitual drinking has ultimately led could be ascertained, I believe we should find that four fifths of the recorded offences have sprung from it.'

"The true cure for this is not directly within the power of Acts of Parliament, but is to be found in training up the rising generation with higher and better tastes than those for mere

debasing sensual indulgences; and it is the work of the Churches rather than that of the Legislature; but much may be done to abate the evil by reducing the number of licensed public houses both in town and country, and by greatly raising the expense of strong drink."

Extracts from a work by Mr. Thomson, of Banchory.

The description he gives of the immediate results consequent on the diminution of the duty on whiskey in Scotland is especially deserving of attention, as the deplorable effect followed so closely on the alteration as to point out in an unmistakeable manner its originating cause. He remarks:—

"Scotland affords a melancholy proof of the effect of cheapening spirits to a people.

Drunkenness in Scotland and its cause.

"In former years Scotland probably was, and certainly did boast, ay, and still boasts, of being the most religious portion of the empire. It was formerly, at least, in the lower classes, the most sober and temperate of the three kingdoms; but one single financial measure changed the whole aspect of the land. In 1825 the duty on whiskey was greatly reduced; intemperance began to increase, and, in the 27 years which have since elapsed, the consumption has become nearly *fivefold* greater; crime, disease, and death have increased in similar proportion; and the sober, religious Scotland of other days is now *proved*, by its consumption of spirits, to be, without exception, the most drunken nation in Europe."

With respect to the drinking habits of the lower classes of the people, and other causes of crime, Mr. Kingsmill observes:*—

Remarks of Mr. Kingsmill, on the causes of crime.

"Of the 28,752 prisoners tried at the last year's (1851) assizes and sessions in England, 10,000 may be put down, without fear of exaggeration, as having been brought to their deplorable condition, directly or indirectly, by the public-house; whilst of the 90,963 summary convictions 50,000, I fear not to state, were the result of the drinking habits of the individuals themselves or their parents, producing poverty, idleness, vagrancy, &c. Yet, as I am led to think, the evil results of drunkenness are to be looked for elsewhere, even more abundantly than in prisons, especially among women. Drunkenness is, in truth, a monster evil in the land—a drain upon the national resources, a stain upon the character of England, a plague in the midst of us, more fatal than any malady which ever visited our shores. Not one single vice contributes more towards filling with wretched inmates the poorhouse, the hospital, the asylum, and the gaol.

"Next to the drinking habits of the people, as an obvious source of crime, may be reckoned the different licensed places of

* "Chapters on Prisons and Prisoners."—Longman and Co., London. Extracts from this work are given in Appendix, page 199.

Remarks of Mr. Kingsmill.

amusement—pleasure gardens, dancing and concert rooms, night saloons, &c. Many who drank deeply of the pleasures of sin in the metropolis, and ended their miserable career in the prison, have given me full descriptions of these places and their consequences. The worst will not bear recital in pages intended for general perusal.

Penny theatres.

"The records of the prison-house, if fully analyzed, would show that the *first penny or the first pound* taken by a son from his parent, or abstracted by the young man from his master's desk, is for the theatre, not for the public-house. But youth, being corrupted by the pleasures of sin, drunkenness follows, and becomes the associate or the substitute of licentiousness, and completes the ruin. Money becomes indispensable, and it is gotten by some desperate and wicked means, at the possibility of which a few months before the mind would have recoiled with indignation, like that of Hazael, when reproached by the prophet: 'Is thy servant a dog, that he should do this great thing?'

As regards the demoralization arising from the defective discipline of ordinary prisons, he remarks:—

Defective discipline in prisons.

"It is not possible indeed to convey to the mind of the reader any adequate idea of the extent of corruption in moral feeling and character, and of the completeness of the education in crime, which go on in the common gaols of the country, especially before trial, when the legal presumption of innocence prevents the application of discipline.

"I have conversed on the subject with a great many intelligent prisoners under my care, men, who, from previous character, were entitled to credit; and, from what I have heard from them, each confirming the other's statement in every leading point, (although, of course, entirely ignorant of it), I have come to the conclusion, that prisons of this description are schools in which everything deceitful, impious, and abominable is taught and propagated, at the expense of public money and public morals.

"It is a remark constantly made to me by men who have been several times in confinement, 'If the first had been like this I should never have been here. I learned more wickedness in one month there than I did all my life before.'

"Take the case of a juvenile—a boy commits a trespass—steals some fruit, runs away from his master, or does some mischief—he is committed to prison, forms acquaintances, learns generally some art in thieving, and gets the impression that the life of a thief is better than that of the honest, hard-working labourer, and to the clever and successful one of distinction; he comes out of prison in a few weeks with his instructors, or, at least, new acquaintances; they invite him to their haunts and amusements; he is seen in their company and suspected; finds a difficulty in getting back to the factory, or farm, or shop, if inclined to make the effort at all, and often has no home to go to, he commences the tour of the vagrant, or the trade of the pilferer; or, in fact, both."

Again, as regards the dwellings of the destitute, he observes:—

Remarks of Mr. Kingsmill, on dwellings of the poor.

"The physical condition of the poor cannot be viewed as separated from the moral. The want of a proper dwelling-place for the working man is one of his greatest trials, and is as injurious to his spiritual as to his bodily health. The crowding together of a whole family in one room weakens domestic virtue, destroys all self-respect, modesty, and delicacy of feeling, and utterly removes all opportunities for self-improvement. A home which is miserable from physical or moral causes is the half-way house to the gin-palace or beer-shop. The pestiferous, overpowering atmosphere of the dwellings of the poor in London and elsewhere does undoubtedly generate the thirst for intoxicating drink, and so leads to crime and greater misery. The working classes, when placed in proper lodging-houses, are as remarkable for sober and domestic habits as the inhabitants of our courts and alleys are for drunkenness, immorality, and crime.

"Sanitary reform is moral reform: every one can do something in this work in his parish and neighbourhood, and he is bound to do his utmost—the health, the lives of the poor, are involved; yea, their morals, and, in no small measure, their eternal interests."

On this subject Mr. Thomson states his opinion:—

Dwellings of the poor.

"It is impossible for children to be brought up as Christian children ought to be, when huddled together, male and female, old and young, like pigs in a stye; and yet this revolting expression is not too strong to designate the dwellings of tens of thousands in our land.

"How many of our honest industrious artisans have only one apartment, or, at most, a room and a closet, for father and mother, and grown-up sons and daughters!

"The low lodging-houses, to which even respectable persons are sometimes constrained to betake themselves, have been exhibited in their true colours by Mr. Mayhew in his *London Labour and the London Poor.*

"'It is difficult to say whether these dens of horror are most injurious to the bodies or the souls of those who frequent them.

"'This, however, is an evil which admits of more easy remedy than many others; for it has been clearly demonstrated that there is no better or safer investment for capital than in the form of lodging-houses and dwellings for the working classes.'"

He further remarks the mischievous effects of penny theatres, balls, concerts, &c.:—

Penny theatres, &c.

"They present almost irresistable attractions; and the annals of juvenile delinquents are full of cases of petty thefts committed in order to procure the penny or twopence required for admission.

"Even if the price of admission be honestly obtained the scenes to which the youthful spectator is there introduced are understood

Remarks of Mr. Thomson on penny theatres, &c.

to be of the most flagitious and depraving nature, calculated only to inflame the passions, and deaden every virtuous feeling.

"The magistrates of Edinburgh have, by their Local Police Act, the power of shutting up all such places, and, by wisely and firmly exercising that authority, have prevented a large amount of evil experienced in other towns where no such power exists. Mr. Clay, of Preston, in his Report for 1850, speaks thus of them (p. 51):—'Singing-rooms and dancing-rooms are training up boys and girls to familiarity with vice in every shape.' He sent two of his officers to visit one of them. Their report describes 700 boys and girls collected together to have their bodies poisoned with smoke and drink, and their minds poisoned with ribaldry and obscenity. Can any one have a doubt that the evil wrought in such a singing-room in a single night outweighs all the good that can be effected by a dozen Sunday-schools in a year?"

The receivers of stolen goods also come in for their share, and the part they play is thus described:—

Receivers of stolen goods.

"This profession is for the sole purpose of making money by the crimes of others; and it offers every facility to the thief and robber for the disposal of his plunder. Not only do they give this important aid, but it frequently comes out at criminal trials that receivers actually point out places where plunder is likely to be found, furnish the means of procuring it, and send out parties, especially juveniles, who are their most profitable customers, to effect the robbery they have planned.

"These places are perfectly known to the police. Why should they be tolerated? Were they effectually put down then thieving on a large scale must necessarily cease, for then it would be no longer profitable: it would, in fact, be useless, except to the very small extent to which articles of stolen property could be used personally by the thief, without the certainty of immediate detection.

"The police, if authorized, could break them up in every town in a very few days. Is it wise and prudent to suffer them to exist?"

Industrial Schools for the Destitute Classes.

Industrial schools.

The foregoing observations on the prominent causes of crime are sufficient to indicate the remedies which might be applied in obviating them, but there are measures of prevention lying at the very foundation of our social arrangements which, until very recently, have been left wholly disregarded and uncared for. I allude to some organized and adequate means for the education and industrial training of the destitute classes.

I will, therefore, submit a few observations on the prevention of crime among the children of the destitute

classes by these means before I enter on the treatment of juvenile criminals, who are necessarily recruited from among them.

As in the case of prisons and discipline, so in that of making suitable provision for the training of pauper and destitute children, we have to recognize the sound views of our ancestors, and fall back upon their wisdom. Separate confinement, as enforced at this day, was the subject of legislation so early as 1778, and the necessity of establishing parish or district schools of industry was recognized and advocated at a much earlier period.

As regards the training of the lowest classes,* "the first idea of industrial schools for children of the poor arose at a time when manufacturing industry had not yet made the start which has since been so greatly developed. From the commencement of legislation with regard to the poor schools of industry have been considered as one of the most useful preservatives against mendicity and indigence. Lord Hale, in a treatise published about the middle of the seventeenth century, with a view to the introduction of some ameliorations in the poor law of Elizabeth, proposed to establish a house of industry in every parish, where the children should be instructed in various kinds of work. The justices of peace were to choose a master, whose functions should last for three years at least, and whose salary should proceed from the revenues of the said house or from the produce of the labour therein performed. Two inspectors were to preside over the distribution and manufacture of the raw materials, and receive, monthly or quarterly, from the master, the articles manufactured or the proceeds of the sales."

Lord Hale on industrial schools.

A short time after it was also observed, by Firmin,† that "if a parish abounding in poor were to adopt the plan of establishing a school of industry, for teaching poor children to work who wander about the parish, lead a miserable life, and pass their time in begging and stealing, great advantages would soon result, not only for the children but for the parents themselves." He adds, that there are examples of what he proposes in his own neighbourhood; that, from what he has heard, the same thing is practised in other countries with such success that there

Firmin on industrial schools.

* See work by M. Ducpétiaux, entitled "Agricultural and Industrial Establishments for Poor Children, Orphans, those deserted by their Parents, Mendicants, Vagrants and Juvenile Convicts," from which the following information is obtained.

† In two letters published in 1678 and in 1684.

Industrial schools.

are but few children of 7 or 8 years old burdensome either to the parish or to their parents. It was his opinion that children should be employed not only in spinning hemp and wool, but also in knitting, winding silk, working at lace, or with the needle, and in many other things of the same kind.

The same was brought forward again a short time afterwards, by an illustrious philosopher, little accustomed to be ranked among the promoters of charitable establishments, but whose judicious labours upon political economy are well known. At the commencement of the eighteenth century, the clamour that was excited by the number of the poor and the tax imposed for their relief had arrested the attention of Parliament. The House of Commons charged the Commissioners of the Board of Trade to seek

Locke.

out the causes and remedies of the evil. Locke, as secretary to the board, was entrusted with the task ; and in the Report, which was submitted to the judges, he established as a fact, that "more than half the poor who were then receiving relief were in a condition to work." One of the principal means which he proposed was the establishment, in each parish, of a school for work. He says, "the children of the poor, from the age of 3 to 14, should be lodged, fed, clothed, and put to work at this school. The country tradespeople should be bound to take as apprentices the half of these children, and to keep them till the age of 23; the farm proprietors and the farmers should receive the rest, in the same capacity and for the same time."

Locke calculated that the labour of these children, up to the age of 14, would cover the expense which they would have occasioned to the school. This project was brought foward in the shape of a Bill, and presented to Parliament in 1705, but was not adopted.

The utility of schools of industry was, however, advocated by many enlightened writers during the eighteenth

Lloyd.

century. Among others may be mentioned Richard Lloyd. He suggested that industrial training should be combined with instruction and religious teaching. He contended that the poor are not in a condition to undertake or properly direct the education of their children, and that they would be better managed in large establishments than in small ones.

Pitt.

The same views were entertained by Pitt. An outline of his plan was presented to Parliament, in 1796, in the

form of a Bill, which had for its object the establishment of a school for work in every parish or incorporated district, for the purpose of instructing the children in different trades and manufactures. The parishes would have been at liberty to maintain their poor children in the working schools, or to lodge them there or keep them only during the hours of labour, and then feed them there or give them work to do at home. The overseers would have been charged with the direction of these schools, and would have supplied them with materials and utensils, &c. Parents burdened with infant children, and in the receipt of out-door relief, would have been bound to send their children to the working school as soon as they were 5 years old, to be instructed and maintained there. It was provided that those fathers who should have preferred to keep their children at home, would have been obliged to bring them up and to employ them, receiving some direction and assistance from the local authorities until the children were in a condition to gain their livelihood. Upon leaving the working school, those children who could not return to their families were to have been apprenticed at the expense of the parishes or provided with service. Industrial schools.

More than half a century has passed away since this attempt, and up to this time a reform, the necessity of which was generally recognized at the time, has until recently been but little attended to.

Industrial Schools in Massachusetts.

It was not in England alone that industrial schools for the children of the poor were advocated at an early period; for we find that the colonists of Massachusetts, in 1642, took the most vigorous measures for the industrial and moral training of the younger portion of their population. Industrial schools in Massachusetts.

The following are extracts from the Tenth Annual Report of the First Secretary of the Massachusetts Board of Education, in which is detailed the system of Common Schools in that State.

"The Pilgrim Fathers who colonized Massachusetts Bay made a bolder innovation upon all pre-existing policy and usages than the world had ever known since the commencement of the Christian era. They adopted special and costly means to train up the whole body of the people to industry, to intelligence, to virtue, and to independent thought. Extracts from Report of Massachusetts Board of Education.

Extracts from Report of Massachusetts Board of Education,

"In 1642, the General Court of the colony, by a public act, enjoined upon the municipal authorities the duty of seeing that *every child*, within their respective jurisdictions, should be educated. Nor was the education which they contemplated either narrow or superficial. By the terms of the act, the selectmen of every town were required to 'have a vigilant eye over their brethren and neighbours,—to see first that none of them shall suffer so much barbarism in any of their families as not to endeavour to teach, by themselves or others, their children and apprentices, so much learning, as may enable them perfectly to read the English tongue, and [obtain a] knowledge of the capital laws; upon penalty of twenty shillings for each neglect therein.'

"Such was the idea of 'barbarism' entertained by the colonists of Massachusetts Bay more than two centuries ago. Tried by this standard, even at the present day, the regions of civilization become exceedingly narrow; and many a man, who now blindly glories in the name and in the prerogatives of a republican citizen, would, according to the better ideas of the Pilgrim Fathers, be known only as the 'barbarian' father of 'barbarian' children.

"The same act further required that religious instruction should be given to all children; and also that all parents and masters do breed and bring up their children and apprentices in some honest lawful calling, labour, or employment, either in husbandry or some other trade, profitable for themselves and the Commonwealth; if they will not or cannot train them up in learning to fit them for higher employments.

"Thus were recognized and embodied, in a public statute, the highest principles of political economy and of social well-being; —the universal education of children, and the prevention of drones or non-producers among men.

"By the same statute, the selectmen and magistrates were empowered to take children and servants from the custody of those parents and masters who, 'after admonition,' 'were still negligent of their duty in the particulars above mentioned,' and to bind them out to such masters as they should deem worthy to supply the place of the unnatural parent,—boys until the age of twenty-one, and girls until that of eighteen.

"The law of 1642 enjoined universal education, but it did not make education *free;* nor did it impose any penalty upon municipal corporations for neglecting to maintain a school.

"In the year 1647, therefore, a law was passed making the support of schools compulsory, and education both universal and *free.*

"It is common to say that the act of 1647 *laid the foundation* of our present system of free schools. But the truth is, it not only laid the foundation of the present system, but, in some particulars, it laid a far broader foundation than has since been built upon, and reared a far higher superstructure than has since been sustained. Modern times have witnessed great improve-

ments in the methods of instruction and in the motives of discipline; but, in some respects, the ancient foundation has been narrowed, and the ancient superstructure lowered. The term 'grammar school,' in the old laws, always meant a school where the ancient languages were taught, and where youth could be 'fitted for the university.' Every town, containing 100 families or householders, was required to keep such a school. Extracts from Report of Massachusetts Board of Education.

"The institution of a free school system, on so broad a basis and of such ample proportions, appears still more remarkable, when we consider the period in the world's history at which it was originated, and the fewness and poverty of the people by whom it was maintained. In 1647, the entire population of the colony of Massachusetts Bay is supposed to have amounted only to 21,000 souls. The scattered and feeble settlements were almost buried in the depths of the forest.

"Yet it was then, amid all these privations and dangers, that the Pilgrim Fathers conceived the magnificent idea, not only of a Universal, but of a Free education for the whole people."

The writer argues, with great force, that a State neglecting the duty of seeing that due provision is made for the education and training of the rising generation, will feel the terrible retribution of its delinquency, "in the squalid forms of poverty and destitution, in the scourges of violence and misrule . . . and in all the blended and mutually aggravated crimes of civilization and of barbarism." Neglect of the State.

Proposed District Schools in England.

Various measures for improving the organization of the schools annexed to the workhouses have been resorted to, apparently without much success, which has led to the consideration of plans having for their object the withdrawal of children from these last establishments and the assembling of them in district schools, to be erected by the parish unions, associated in greater or smaller number, within determined limits. Facilities have been afforded for this purpose in the Acts 7 & 8 Vict. c. 101, and 10 & 11 Vict. c. 83. But as they only contain *permissive* and not *compulsory* powers they have not come into general operation. They are, however, similar in principle to those introduced into Belgium, by which schools of reform are substituted for mendicity establishments. Proposed District Schools in England.

The Reports of the Poor Law Commissioners in 1840, and those of the Inspectors of Schools, offer much that is interesting. They do not confine themselves to pointing

out the evils and abuses, but also indicate and discuss the remedies; and, amongst these, they range in the first order the institution of *district schools*, in which agriculture and gardening, combined with certain industrial and sedentary occupations, should be introduced as a necessary part of education.

This subject is so important in its bearing on the prevention of crime that I cannot omit to profit by the valuable suggestions and opinions of Her Majesty's Inspectors of Schools, and express my entire concurrence in them. Subjoined is an extract referring to the leading points, from the Report of the Rev. H. Moseley, dated February 1852; and I have annexed others in the Appendix, page 151.

Pauper education under the new Poor Law Board.

"When the Poor Law Board abolished the system of education by apprenticeship, they took upon themselves the responsibility of providing some better form of education. Every workhouse was accordingly required to provide a schoolmaster who should educate the children. For which purpose they were to be completely separated from the adults, and instructed for at least three hours every day."

"This system had, however, conspicuous defects."

"'Great mischief,' says Mr. Stuart, in his report on the Blything incorporation, 1833, 'is done by familiarizing the minds of the children to the restraints of the workhouse, which destroys all reluctance to being sent back to it in after-life.'

"It is impossible not to feel that Mr. Tufnell speaks in measured terms of a system like this, when in 1849 he says of it, 'The experience of this year has still further convinced me of the hopelessness of expecting any general or permanent benefit to arise from the training of pauper children, as long as they remain within the precincts of the union workhouse.'"

Suitable industrial training cannot be united with workhouse education.

"But the most striking point of view in which the present arrangement appears defective is, *the impossibility of uniting with it the suitable industrial training of the children.* The labourer's cottage, however bad a school in other respects, has this advantage, that it is a good place for the industrial training of his children; he knows the importance to them of being brought up to labour. I have myself known parents—capable of making sacrifices that their children may go to school, and willing to do so if they thought it for their welfare,—yet object to do so after the children were of an age to work, lest, as they said, 'they should not take kindly to labour.'"

'The example of industry which a labourer's cottage affords,—his watchful eye lest habits of idleness should grow upon his children,—and the exigencies of the household, which claim that all its members should contribute to the common fund which

feeds and clothes all, make of it a school of industry; and, perhaps, the best school in which industry can be learned."

The exclusion of industrial training contrary to the intention of the Poor Law Board.

"This exclusion of industrial training is contrary to the spirit and intention of the Poor Law Board, as is apparent from their orders and regulations; but it is a necessary result of the existing state of things. 'Industrial training' (says Mr. Jelinger Symons), 'according to the spirit of the Poor Law orders,' * * * 'can never be attained whilst the children remain in the workhouses, without such inconvenience and expense as make it hopeless.' This remark applies specially to the boys. 'The several employments of the boys reared in workhouses' (says Sir J. P. Kay Shuttleworth, Report of 1841), 'must, it is believed, in the great majority of instances, be of a description that does not admit of previous training or tuition within the workhouse.'

Unsuitable character of the industrial training where any is attempted.

"In the great majority of workhouses the children are stated to have no industrial training at all. Where they have, it is commonly of a sedentary kind. 'They are sometimes taught a little shoemaking or tailoring; the best of their occupations are carpentering or book-binding; but in many cases they made hooks and eyes, or sort bristles, and pick oakum. A boy thus brought up' (says Mr. Bowyer) 'is unfitted for an agricultural labourer; he can neither dig, hoe, nor plough; is puzzled with harness, and afraid of a horse. Any hard or continuous labour exhausts his body and wearies his mind. He has formed a completely false conception of the life that awaited him.'

"'An orphan or deserted child educated from infancy to the age of 12 or 14 in a workhouse' (says Sir J. P. Kay Shuttleworth) 'if taught reading, writing, and arithmetic only, is generally unfitted for earning his livelihood by labour.'"

Field labour the most suitable industrial training for pauper children.

"If to other children, then especially to these, other than sedentary occupations, freedom, exercise, and the open air are necessary to healthy physical development and growth."

"'Hence' (says Mr. Tufnell, in 1847-48), with a view to securing the health of the boys, garden or field labour is, I am satisfied, superior to most others.' 'I find a great unanimity,' says Mr. Symons (1849), 'as to the kind of industrial labour deemed the fittest for boys by guardians who reflect on the subject. Spade husbandry is almost invariably chosen, not only on account of the return derivable from it, but from its aptness for developing moral character as well as bodily strengh and health.'"

"'The introduction of industrial training'" (says Mr. Bowyer, 1849) 'has been everywhere attended by a marked improvement in the appearance and bodily vigour of the boys; and their progress in their studies, so far from being retarded by it, has generally been promoted, notwithstanding the reduction in the number of hours devoted to instruction.' And (Mr. Browne, 1849) 'industrial training for boys ought, I am convinced, to consist in the cultivation of land. It is remarkable that boys employed in field-work make greater progress than those who are not so employed, although the latter may give to study nearly twice as much time as the former.'"

A substitute is needed for the workhouse school.

"To break, then, the link which in the mind of the pauper child binds him to the workhouse as a home, which associates it in his mind with the state of life allotted to him and his destiny, —to take from him the stamp and impression of it,—and to emancipate him from the regimen of its course of thought and standard of opinion,—to free him from its pestilent associations and evil example,—and, above all, to prepare him to take his place in the ranks of independent industry, by a judicious course of industrial training,—for all these objects a substitute is needed for the workhouse school.

District pauper schools provided for by the Act of 7 & 8 Vict.

"This fact has received a practical recognition from the Legislature in the Act of 7 & 8 Vict. c. 101, which provided for the formation of school districts and district pauper schools where the children should be collected from the workhouses of the district, instructed in such useful knowledge as is suitable to their condition, and trained to industry.*

"This Act gave to the Poor Law Commissioners power to form school districts. But it affixed certain limits of area and population, and it provided that the expense of starting, to be borne by the unions of the district, should not exceed one fifth of the entire annual expenses of those unions; provisions which rendered the Act inoperative; the limitations were impracticable, and no school could be built for the money. In 1847 an Act was passed removing the limitation as to cost, but depriving the Commissioners of their power to erect the school without the consent of the guardians or a majority of them."

"This new condition has rendered the new Act nearly as inoperative as the old one. Six district schools only have been formed in the entire country. In other respects the declared intentions of the Legislature remain without effect. 'It is obvious' (says Mr. Temple) 'that the reasons for the establishment of district schools are not of a nature to be readily appreciated by Boards of Guardians.' The object of such schools is national; their operation, to be successful, must cover a large surface, and extend over a long period; and their results, however certain, are remote, belonging rather to posterity than ourselves. Considerations of this class are not likely to have weight with Boards of Guardians. The operation of such Boards is local, isolated, and independent, and their function is temporary, having in view the present necessities of the poor, and the protection of the present ratepayers. It has nothing to do with posterity.

The erection of a model school of industry provided for by the Minutes of 1846.

"With reference to the probable occupation of the students of your normal school, as masters, at some future time, of district schools, your Lordships provided, by your Minutes of 1846, for the erection, in connexion with it, of 'a model school of industry for the pauper children of some of the London unions.' It is to be hoped that your intentions in this respect will ere long be

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"* This first Act was passed in 1844. It was unquestionably the result of the able report of the assistant commissioners published in 1841; particularly Sir J. P. Kay Shuttleworth's account of the Norwood Industrial School."

carried into effect. Nothing can be more important than to give to your students the benefit of that experience which such a school would offer, or to the country the model of a pauper school conducted on sound principles.

Number of children at present reside in workhouse

"'There were on the 1st of January 1852, in the 597 unions of England, 40,557 children, giving an average of 68 children of both sexes for each workhouse; a number which had been annually diminishing. Of these there are 21,038, being 51⅘ per cent. of the whole, to whom the State stands in the place of a parent; they being orphans, or deserted, or the children of paupers not able to work. It is to create teachers for the education of these,—made children of the State by the law and providence of God, and by the common consent and practice of all ages and nations,—and of those others made destitute by the vices or the misfortunes of their parents, whom the State has adopted, that your Lordships have erected this training school.'"

Labour an essential part the training o the masters of pauper school

"In the training of teachers for that object, labour is an essential element. Teachers of industry must practise it, and must be inured to it. A schoolmaster unable to work would be almost as much misplaced in his field garden as one unable to read and write would be in his school."

Extracts from the Reports of Her Majesty's Inspectors of Schools.

On the subject of district industrial schools, and other interesting particulars connected with the education of the destitute classes, several extracts from the Reports of Carleton Tufnell, J. Ruddock, T. B. Browne, H. G. Bowyer, and J. C. Symons, Esqs., Her Majesty's Inspectors of Schools, will be found in the Appendix, page 151.

Measures adopted in Belgium.

Measures adopted in Belgium.

The proper training of destitute children—a subject now so imperatively forced on our attention—has also been under consideration in Belgium. The whole of the proceedings in that country appear to be based on such enlightened views, and the measures adopted for giving effect to them at the same time so wise and practical, as to be deserving of the attention of those who are interested in the question, or desirous of forming an opinion upon it.

M. Ducpétiaux, Inspector-General of Prisons, &c., has recently published a detailed report of the preliminary steps taken by the Government—the proceedings of the commission appointed to inspect and report, &c.—the results of the inspection of establishments having similar objects in France, England, &c.—the recommendations of the government commissioners—the legislative enactments that were necessary, and the results of all these labours in

the establishment of the agricultural school at Ruysselede, near Bruges.

In all these proceedings we cannot but recognize the energy and perseverance, the discretion and benevolence of M. Ducpétiaux.

Extracts from Report of M. Ducpétiaux.

Extracts from his report are inserted in the Appendix, page 160. These include descriptions of the Rauhen-Haus Reform School at Horn, near Hamburgh, and of that at Ruysselede, West Flanders.

Distinction between Schools suitable for the Destitute Classes and Prisons for Juvenile Criminals.

Schools for the destitute classes and prisons for juvenile criminals.

It will be almost impracticable, having due regard to reformation, to create more than a nominal distinction in the treatment requisite in pauper schools and that of district prisons for the correction and industrial training of juvenile criminals, and it would appear desirable not to create *more establishments* than *are absolutely necessary.* Any attempt to refine too much by maintaining nice distinctions would, I fear, only tend to complicate measures, which, if simplified, might be brought practically to bear upon the enormous amount of evil which has to be attacked.

I feel some hesitation in offering an opinion upon a subject on which I have little practical knowledge or information; but my impression is, that, as a general principle, all schools and industrial establishments for the destitute should be considered as of one class. This would include all district or pauper schools attached to parochial unions—the present ragged schools, and such establishments as Red Hill, Stretton-on-Dunsmoor, Quatt, Smith-street, Westminster, Sheriff Watson's Aberdeen Schools, and any others devoted to the moral and industrial training of that lowest class of the population who have no means whatever of providing for themselves.

With respect to juvenile criminals, I have already stated my opinion that there should be district prisons or penal schools, with appropriate discipline.*

As regards discipline in the pauper and penal schools respectively, I should take Parkhurst as a model for the latter, and the arrangements at Red Hill, Aberdeen, Rhuysellede, and Mettray, as a guide on which to frame discipline suitable for the former.

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* See the proposed law for France, p. 212.

Very different conditions will, however, have to be dealt with in counties and in large towns. The scattered population of the former cannot be so conveniently collected as where the numbers are more concentrated; the evils are, however, of less magnitude.

Attendance at schools.

As regards the means of obtaining attendance, I can offer no opinion; but I am satisfied that the practice established by Sheriff Watson at Aberdeen has been attended with the very best results: and if measures for uniting the persuasive effects of feeding with instruction could be matured and extended, I conceive that it would afford the means of making a greater inroad upon crime in large towns than has ever been effected.

"The attendance at the school," says Mr. Thomson, "is wholly voluntary; but the child who is absent from morning hours receives no breakfast; absent from the forenoon hours, receives no dinner; and if absent from the afternoon, receives no supper. And, influenced by these attractions, the attendance on the whole is excellent—better than at an ordinary day-school."*

Treatment of Juvenile Criminals.

The Committee of the House of Commons on Prison Discipline, 1850, came to the following resolution:—

Resolution of House of Commons Committee.

"That on the interesting question of what system of prison discipline is best adapted to juvenile offenders, this Committee has not received sufficient evidence to enable them to offer distinct recommendations; but they are of opinion that a larger amount of industrial training and reformatory discipline may advantageously be adopted in their case than in that of ordinary criminals."

On the subject of "juvenile" criminals, Mr. Fletcher, late one of Her Majesty's inspectors of schools, observes, in a pamphlet on "The Farm School System of the Continent:"—

Remarks of Mr. Fletcher, inspector of schools.

"That it is no small subject of solicitude to which it is desired to rouse the public attention, will appear from the fact that the number of prisoners in the gaols of England and Wales classed as "juvenile" in the prison inspectors' returns was, in the course of the year 1849, no fewer than 12,955; of which number 1,431 were under 12 years of age, 2,912 from 12 to 14, and the remaining 8,617 from 14 to 17. Although these were not in prison for the whole year, it must be concluded that there is more than this amount of juvenile population constantly on the verge of commitment, and virtually thrown upon society in a criminal character."

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* See further extracts on these subjects in Appendix, page 185.

In the endeavour to frame a system calculated to grapple with the whole of the difficulties which have to be provided for, great care will be necessary. It would appear highly inexpedient to tamper with the connexion which should exist between *crime and punishment*, and equally so to adopt any measures having a tendency to remove the distinction between *crime and poverty*.

In reply to the following question from Lord Brougham's Committee, "Does any amendment of the law, or any change in its execution, occur to you as adapted to the case of young offenders?" Lord Chief Justice Denman observed:—

Lord Chief Justice Denman's remarks.

"Perhaps this is the most important branch of criminal law; for the age inquired of is that at which the habits are formed, and the path of life is chosen. I hold the only legitimate end of punishment to be to deter from crime; but I think I perceive in some of the theories of benevolent men such a mode of administering the criminal law as to encourage instead of deterring."

Mr. Baron Alderson, in reply to the same question, thus stated his opinion:—

Mr. Baron Alderson's remarks.

"I think the administration of the law as to juvenile offenders requires much amendment. We want prisons appropriated to them, in which they should be subjected to a paternal but severe discipline, and that not for short but for long periods, subject, however, to remission on amendment. I do not think it would be in accordance with the spirit of our institutions to have such terms of imprisonment indefinite, as some have suggested, or dependent upon a system like a debtor and creditor account, in which the prisoner has appeal if the account be unfairly kept. They should be *definite*, although *long* periods. In connexion with this, I would desire to see a minimum punishment fixed by the Legislature, in order that injudicious magistrates may not indulge their spurious humanity *at the expense of the public and the criminal*."

Alteration in treatment of juvenile offenders.

The question of some alteration in the treatment of juvenile offenders had, however, been under the consideration of the Government previously to this time. The first practical step which occurs to me was taken by Sir James Graham, who withheld his sanction to the plans for a new prison at Manchester, until an extensive ward, designed for juveniles, was omitted. It was considered that if, in the erection of the proposed new prisons at Manchester, Birmingham, Liverpool, Wakefield, Leeds, Stafford, and elsewhere, the juvenile wards were omitted, and a district prison expressly for this class were erected in some central situation, a saving in expense would be effected, and a beneficial change be secured.

All the experience gained since that time appears in favour of some such plan. The Select Committee of the House of Commons, to whose valuable report I have referred, recommended the establishment of district prisons at the national cost for the reception of prisoners under sentence for periods exceeding 12 months. It was, also, the opinion of the Committee that the management of such prisons should be under the control of Government, and it was suggested that an alteration of the law might be usefully made, in order to substitute, in many cases, for short terms of transportation, longer terms of imprisonment than are now passed.

Recommendations of House of Commons Committee.

If these resolutions were carried into effect, it would afford increased facilities for providing suitable accommodation for juveniles; or separate prisons having similar objects in view might be erected for them as originally proposed, and the discipline might be assimilated to that of Parkhurst.

I am by no means insensible to the objection that may be stated to the committal of a boy to an ordinary prison, or even a penal school, and believe that large discretionary powers in dealing with juveniles should be entrusted to magistrates, and that mere children of 12 or 13 years old should not be held very seriously responsible for their acts. I feel, however, so strongly the necessity of marking the distinction between certain offences against the law and that degree of moral and physical destitution which is the result of parents' neglect or misfortune, that I consider prisons or penal schools for juveniles essential, though it may be regarded as a choice of evils. With a view to save the expense of a long sentence, a trial in some cases of the deterring principle of simple punishment by committal to a common gaol for a few days, accompanied by whipping, might be resorted to.

In France boys are received into prisons for correction, on the application of their parents, and no stigma is attached to it. I should look upon a short sentence and whipping in the same light.

Liability of Parents or Parishes.

Liability of parents or parishes.

I have observed in a former Report that—

"If the advantages gained by a boy in being committed to a penal school were appreciated by him, they would be so great as apparently to offer a direct inducement to commit crime for the purpose of obtaining them; and when it is considered how

Liability of parents or parishes.

heavily the maintenance of a family presses on the poor, it might be anticipated that parents would even be led to encourage their children in crime, and that the course most likely to obviate these objections would be to render parents or parishes *liable for the expense of maintenance.* Under such circumstances the honest labourer, whilst exercising his discretion in the education of his children and deriving advantage from their labour, would see those who were disposed to neglect their families compelled to take care of them, or to pay others for doing so."

There would, however, I fear, be great difficulty in the general enforcement of any such liability as against the parent, but if the parishes were liable there can be no doubt it would operate as a strong stimulus to all concerned. Each fresh demand would lead to the issue of peremptory orders on the part of local authorities, and much activity in the subordinates.

As it is very generally admitted that much of that which requires remedy among the crowds of children who infest the streets of large towns is the result, to some extent, of neglect on the part of parents or local authorities, it would appear just that the State should not be called upon to bear the expenses of such neglect.

The government now pay a large sum to meet the costs of trial and maintenance of prisoners; and it would appear a proper distinction, if, instead of paying the whole, the parents or the immediate locality were held responsible for, at least, a portion of the expenses.

On this subject Mr. Thomson observes,—

Extracts from Mr. Thomson's "Social evils, their causes and their cure."

"Another alteration required is to enforce on able, but careless and wicked parents, the duty which lies upon them to feed and educate their children. This can be best accomplished by making the Poor Law Board or Union, or the Prison Boards in Scotland, liable for the expense to the industrial school in the first instance, but with recourse against the parents who are neglecting the first and greatest of their duties.

"Power must also be given to send to school all *neglected* children—all found loitering in streets and lanes—whose parents take no charge of them, but leave them to grow up as they may, untutored and untaught, save in the practice of crime. If the parents neglect to perform their bounden duty, then the State may properly step in, *loco parentis*, and do the needful work; and surely this is no unjustifiable interference with the parental authority—it is only saying to the parent 'if you will not discharge the duty you owe to your child, both in the sight of God and of man, we, the public, will do it for you; we will not suffer your child to grow up a torment to himself and to all around him; we would much rather you did your duty yourself, but if you *will not*, then *we must.*'

"By law, the burden of uncared-for pauper children falls at present on the workhouse, but the poor-law authorities are not entitled to expend their money, unless under their own immediate control; and power must be given to them to do so, through the medium of industrial school managers. This will be as advantageous as it is economical. Better for the public, who must eventually pay in one form or other, to maintain the child in an industrial school at 4*l.* a year, than in a poor-house at 10*l.* or 12*l.*, especially as the smaller expenditure gives every prospect of making him a useful member of the community, and the larger gives little hope of ever raising him above the pauper class."

Extracts from Mr. Thomson's "Social evils, their causes and their cure."

The following observations occur in the second Report of the Committee of Management of the Aberdeen Industrial School Association:—

"Society has surely the right to guard itself against the evil practices of those neglected children; and, having the right, it ought also to have the power; but if such power exist, it seems very difficult to tell in whose hands it is vested. The child convicted of theft is whipped or imprisoned, but if he stole to appease the cravings of hunger which his worthless parent failed to satisfy, it is clear that chastisement has not fallen upon the proper party, and that the really guilty has profited by the vices prompted by his culpable neglect, while the whole cost has been defrayed by the public.

Extracts from Second Report of Committee of Management of Aberdeen Industrial School Association.

"It was said by the late Mr. Rushton, stipendiary magistrate of Liverpool, that he had ascertained that ten such children, under 14 years of age, had cost, in apprehension and imprisonment, upwards of six hundred pounds; and, with so little effect, that all of them were then in prison, and one, only about 10 years of age, lay under sentence of transportation for seven years.

"The remedy for these enormous evils appears simple and obvious. Let the committee or the magistrate be empowered to send all such mendicant children to the schools of industry at the expense of the parent or the parish, and let the worthless parent be punished if he neglects the sacred duty of maintaining his child, which at present he is allowed to do with impunity."

A good old Saxon principle is adverted to by Mr Carleton Tufnell in his report on Parochial Union Schools for 1851. He says,—

"Guardians are not always so open to considerations of ultimate as of immediate economy; and many a pauper who now, before his death, costs his parish one or two hundred pounds, might have lived without relief, had a different education, represented perhaps by the additional expense of a single pound, been bestowed upon him in his youth. This is strictly retributive justice; and I think it would be good policy to increase its effect, and would give a prodigious stimulus to the diffusion of education, if the expense of every criminal, while in prison, were reimbursed to

Extracts from Mr. Carleton Tufnell's Report.

Extract from Mr. Carleton Tufnell's Report.

the country by the parish in which he had a settlement. What a stir would be created in any parish by the receipt of a demand from the Secretary of State for the Home Department for 80*l.* for the support of two criminals during the past year! I cannot but think that the locality where they had been brought up would be immediately investigated, perhaps some wretched hovels, before unregarded, made known, and means taken to educate and civilize families that had brought such grievous taxation on the parish. The expense of keeping criminals, as of paupers, must be borne somewhere; and it seems more just that it should fall on those parishes whose neglect has probably caused the crime than on the general purse."

Treatment of Juveniles in France.

Extract from a work by M. Bérenger.

Some interesting remarks on the subject of juveniles will be found in the Appendix, page 205, extracted from a work by M. Bérenger, Member of the Institute of France, who is distinguished for his enlarged and sound views on the treatment of criminals.

As the treatment of juvenile offenders has engaged the attention of the French Government, and has been not only under the consideration of very eminent and enlightened men, but has been partially developed under their superintendence, it may be useful to refer to the general conclusions which have been arrived at, as set forth in the Report of a committee appointed to consider the subject, extracts from which are annexed in Appendix, page 208.

Mr. Gladstone, who has laboured so successfully in establishing the farm school at Red Hill, in forwarding to Sir George Grey his translation of this document thus alludes to it:—

Mr. Gladstone's translation of Report of Committee in France.

"The Report lately presented by M. Corne, to the National Assembly of France, from the Committee appointed to consider and report upon the treatment of juvenile delinquents in that country, appears to me so remarkable for the philosophical soundness of its views, and for its practical application to the present state of this important question among ourselves, that I would respectfully solicit your attention to the statements and recommendation of the Report, believing that your deep interest in the subject, both as a Christian and a statesman, will render needless any apology for thus intruding upon you."

The arrangements which may be suitable and convenient in France and Belgium will not be altogether applicable in England; but the general principles which are advocated appear to be capable of application so as to promote great improvements in the treatment of juvenile offenders, and the classes from which they are drawn.

Such establishments as Mettray and the Philanthropic Society's Farm School at Red Hill, (which is formed upon the same model,) however well adapted for carrying out the views with respect to the treatment of certain classes of juvenile criminals which prevail in France and Belgium, or for assisting liberated prisoners to enter on a new course of life, do not possess those *Penal* features which are calculated to repress crime by the fear of its consequences. They cannot, therefore, be regarded as superseding prisons, properly so called, but as a supplement to them, and as providing the means for *compulsory education* and training, with the view to the *prevention* of crime. In this country they are to the criminal and destitute poor, who are not in the receipt of parochial relief, what really good district or industrial schools would be to the honest poor, and as such are well deserving of both public and private support.

Establishment for juveniles.

Disposal of Juvenile Criminals.

The real difficulty with criminals will arise on the expiration of their sentences; for it will be of little avail to instruct them or even destitute children, unless they are assisted, or satisfactorily disposed of, on discharge. In making any such provision, however, for criminals, we encounter the objection made by Lord Denman, and a very serious one it is, when a boy's success in life may be said to originate in the commission of crime.

Disposal of juvenile criminals.

Morally and socially, a great advantage would be secured by placing a boy in a situation and circumstances in which he could afterwards earn an honest livelihood; and I think this consideration should outweigh difficulties and objections, which, perhaps, after all, would not have so much influence on the criminal population as might be anticipated. I should be disposed, therefore, to make the trial, and preserve the deterring effect of a sentence by subjecting the offender to a long course of discipline.

A certain proportion of boys who have been subjected to corrective discipline and instruction for periods of from 1 to 3 years might, after due inquiry as to the means of support and employment, be disposed of in this country. The efforts of that most benevolent and excellent man, Mr. Wright, of Manchester, prove this. The experience of the convict prisons, from which men are occasionally

discharged, is, also, in favour of it; but I agree with Captain Williams in opinion that the main opening will be in emigration.

Disposal of boys in this country.

In considering the measures necessary for the final disposal of the boy, more difficulties would, however, arise in an attempt to obtain satisfactory employment either at home or abroad, if he were sent direct from a prison, than if he were sent from an industrial school.

Boys to pass from district prisons to pauper schools.

To obviate this, I would recommend that a prisoner, having gone through a certain period of his sentence, in a district prison or penal school, sufficient, as a general rule, for his correction, and the acquirement of industrious habits, a portion of the sentence might be advantageously remitted, not only with a view to obtain the power of imposing conditions on his release, but to operate as an encouragement during the time he was under discipline. I should, therefore, propose that a boy should pass from a district prison to the district school, and be disposed of from thence on the plan now in operation at Red Hill.

Assuming that there were only one class of schools for paupers, an objection might be taken to this plan on the ground that children of honest but poor parents would thus become mixed up with criminal boys. If evil is to be apprehended from such a course, it might be greatly checked by classification; but, practically, I do not think much inconvenience would result. I found this opinion upon the experience of the Philanthropic at Redhill, and upon some acquaintance with the character of the boys at Parkhurst.

A further reason against the validity of such an objection would be, that any boy, on discharge from prison, is entitled to go to his parish school, and to mix with all who attend there; or, if destitute, he is taken into the workhouse, or would be sent to a district industrial school, as a matter of course.

There appears no reason why the same facilities should not be afforded in a systematic manner. My own impression is, that a boy who has gone through one or two years strict *discipline* at a penal school or prison would be more exemplary in his conduct, more tractable, and, in all respects, better conducted than the class of pauper children in such a school, who had not undergone such previous discipline and instruction.

In saying this, however, I would qualify it by observing that I assume that such as were convicted of serious crimes, and the few prisoners who proved to be incorrigible, under a long sentence of imprisonment, would be specially dealt with, and not sent to the pauper school at all. Transportation for the most serious crimes.

CONCLUSION.

As second convictions for the most trifling acts of felony almost invariably lead to the solution of all difficulties in counties and boroughs by the criminal receiving a sentence of transportation, it is of the utmost importance that such measures should be adopted as would tend to produce in the mind of any one committed to prison a wholesome dread of ever being caught there again. Conclusion.

A continuance in a career of petty crime, leading to more serious results, is fostered and encouraged by not giving the fullest effect, of which they are capable, to sentences of imprisonment.

I would beg leave, therefore, in conclusion, to state my opinion of the necessity of establishing in the prisons generally a more stringent and uniform system of discipline, with a view to the repression of crime, and in order to reduce the vast expenses which the Government incur, and which in some measure may be attributed to the absence of such a mode of carrying out a sentence.

When a man, on his discharge from prison, passes through the wicket giving utterance to his feelings, "I won't have no more of that," he is much more likely to make a resolution never to incur such a penalty again, and to adhere to it, than another whose recollections of the past may be that "he was treated like a gentleman."

These expressions embody the feelings of many convicts, and the difference is solely attributable to the varied treatment to which they are subjected in different places. The repressive elements of discipline are hard labour, hard fare, and a hard bed, combined with strict separation. If these elements be made the basis of penal discipline *for short periods* it affords the best opportunity for introducing gradations into the daily routine, in which, during *longer periods* of imprisonment, instruction and industrial training may, to some extent, replace them.

Conclusion.

These recommendations may appear harsh to those who sympathise with prisoners, and take a deep interest in their welfare; but, according to my view, to attempt a reformatory system when the period of imprisonment of an offender affords no chance of success is to throw away an opportunity of deterring him by punishment, and not to gain any object in its place.

If such a general system could be established in prisons we should have fewer convicts under sentence of transportation; and if, combined with that, more attention were devoted to measures of prevention I believe the beneficial results would, in the course of a few years, be very apparent.

I have the honour to be, Sir,

Your obedient humble servant,

J. JEBB, Lieut.-Colonel, &c.

APPENDIX.

RETURN showing the Number of Convicts Embarked, or who have been Pardoned, or Died, &c., during the year 1851.

FINAL DISPOSAL.		CONVICT PRISONS.								CONVICT HULKS.								COUNTY AND BOROUGH PRISONS.										GRAND TOTAL.	
		Millbank.	Shorncliff.	Pentonville.	Portland.	Dartmoor.	Parkhurst.	TOTAL.		Warrior.	Justitia.	York.	Stirling Castle.	Defence.	TOTAL.			Wakefield.	Preston.	Leeds.	Leicester.	Northampton.	Bath.	Reading.	Bedford.	TOTAL.			
Embarked for	Van Diemen's Land	34	–	8	216	66	63	387	–	51	52	80	47	–	230	–		–	–	–	–	–	–	–	–	–	–	617	–
	Western Australia	61	–	59	178	13	59	370	–	113	154	130	111	–	508	–		–	–	–	–	–	–	–	–	–	–	878	–
	Norfolk Island	46	–	2	–	–	14	62	–	1	1	2	7	–	11	–		–	–	–	–	–	–	–	–	–	–	73	–
	Bermuda	55	–	33	20	–	–	108	–	20	12	14	39	–	85	–		37	–	–	–	–	–	–	–	37	–	230	–
	Gibraltar	52	–	52	106	11	–	221	–	27	41	40	18	–	126	–		46	4	2	21	13	6	7	–	99	–	446	–
		248	–	154	520	90	136	–	1,148	212	260	266	222	–		960		83	4	2	21	13	6	7	–		136		2,244
Removed to	Lunatic Asylum	7	1	2	–	–	–	10	–	–	–	–	1	–	1	–		–	–	–	1	–	–	–	1	2	–	13	–
	Philanthropic Society's Farm School.	22	–	–	–	–	–	22	–	–	–	–	–	–	–	–		–	–	–	–	–	–	–	–	–	–	22	–
	Cold Bath Fields Prison	2	–	–	–	–	–	2	–	–	–	–	–	–	–	–		–	–	–	–	–	–	–	–	–	–	2	–
Pardoned	Free	5	12	1	–	8	1	31	–	2	3	–	4	–	9	–		–	1	1	1	–	–	–	–	3	–	43	–
	Conditional	7	–	2	–	1	–	10	–	–	1	–	–	1	2	–		1	–	–	–	2	1	–	–	4	–	16	–
	On medical grounds	8	11	3	–	–	–	23	–	2	–	4	4	43	53	–		–	–	–	–	–	–	–	–	–	–	76	–
	On expiration of a moiety of their sentence under an old Rule	–	–	–	–	–	–	–	–	–	–	12	–	–	12	–		–	–	–	–	–	–	–	–	–	–	12	–
Escaped (including 3 that were recaptured and placed in other Prisons).		–	–	–	–	6	–	6*	–	–	3	–	–	–	3	–		–	–	–	–	–	–	–	–	–	–	9	–
Deaths		17	11	4	–	10	3	49	– 153	8	9	4	7	24	52	– 132		4	1	3	1	–	–	1	–	10	– 19	111	– 304
Total		314	35	166	531	115	140	–	1,301	224	276	286	238	68	–	1,092		88	6	6	24	15	7	8	1	–	155	–	2,548

RETURN showing the Embarkations from the Convict Prisons in 1851, and the Distribution of Convicts in the Colonies.

Date of Ship's sailing.	Names of Ships.	Surgeons Superintendent.	Religious Instructor.	Number, and from what Prisons removed. — Convict Prisons.							Hulks.						Grand Total.	Number of Male Convicts, and their Destination.						Condition of the Male Convicts in the Colonies.					Number of Females sent to Van Diemen's Land.
				Millbank.	Pentonville.	Parkhurst.	Portland.	Dartmoor.	County and Borough Prisons.	Total.	Warrior.	Justitia.	York.	Stirling Castle.	Defence.	Total.		Van Diemen's Land.	Western Australia.	Norfolk Island.	Bermuda.	Gibraltar.	Total.	Ticket-of-Leave.	Public Works.	For further Probation in Van Diemen's Land.	Ditto, in Norfolk Island.	Total Males.	
1851. Jan. 10 -	"Lady Kennaway."	— Cauldell, Esq. -	Mr. W. Irwin - -	31 / 12	– / 2	14 / 33	– / –	– / –	– / –	231	1 / 1	1 / 4	2 / 1	7 / 2	– / –	19	250	139 / 55	– / –	56 / –	– / –	– / –	250	– / 139	– / –	– / 55	56 / –	250	–
Feb. 20 -	"Cornwall" -	Dr. Geddes -	Mr. Mose - -	4	43	–	81	–	76	204	27	32	26	11	–	96	300	–	–	–	–	300	300	–	300	–	–	300	–
Mar. 15	"Pyrenees" -	A. C. Macleroy, Esq.	Mr. W. Barr - -	1	–	29	77	–	–	107	49	59	47	34	–	189	296	–	296	–	–	–	296	296	–	–	–	296	–
April 17	"Aurora" -	Dr. Jones - -	Mrs. Hall, Matron - Miss Hall, Assistant.	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	222
July 16	"Minden" -	Dr. Gibson - -	Mr. A. W. Barry -	–	–	30	51	13	–	94	44	75	44	45	–	208	302	–	302	–	–	–	302	302	–	–	–	302	–
Aug. 9 -	"Hempsyke"	Dr. Nolloth	None (to Gibraltar)	48	9	–	25	11	23	116	–	9	14	7	–	30	146	–	–	–	–	146	146	–	146	–	–	146	–
Sept. 14	"Rodney" -	Dr. Morris - -	Mr. C. Cooper -	1	–	–	35	8	–	44	28	28	49	11	–	116	160	160	–	–	–	–	160	160	–	–	–	160	–
Oct. 3 -	"Anna Maria"	Dr. McCray -	Mrs. Lindsay, Matron Mrs. Poyson, Assistant	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	200
Oct. 20 -	"Marion" -	Dr. Le Grand -	Mr. R. Crowley -	60 / –	59 / –	– / –	– / 50	– / –	– / –	169	– / 20	– / 20	– / 39	– / 32	– / –	111	280	– / –	119 / 160	– / –	– / –	– / –	280	– / 161	119 / –	– / –	– / –	280	–
Dec. 8 -	"Ascendent"	Dr. Steel - -	None (to Bermuda)	53	33	–	20	–	37	145	20	12	14	39	–	85	230	–	–	–	230	–	230	–	230	–	–	230	–
Dec. 22 -	"Aboukir" -	B. Bynoe, Esq. -	Mr. C. Pawte - -	1 / 15 / 20 / –	– / 6 / 2 / –	30 / – / – / –	42 / – / – / –	41 / – / – / 17	– / – / – / –	174	20 / – / – / 2	20 / – / – / –	30 / – / – / 7	27 / – / – / –	– / – / – / –	106	280	211 / 21 / – / 26	– / – / – / –	– / – / 22 / –	– / – / – / –	– / – / – / –	280	211 / – / – / –	– / – / – / –	– / 21 / – / 26	– / – / 22 / –	280	–
				248	154	136	520	90	136	1284	212	260	266	222	–	960	2244	612	878	78	230	446	2244	1269	795	102	78	2244	422

who have been pardoned, or died, &c., during 1851.

Great Britain.

A Return of the Number of Male Convicts sentenced to Transportation in *Great Britain*, in each of the Twelve Years ending on the 31st of December last; of the Number sent Abroad in each of the same Years; of the Number detained in *Great Britain* on the 1st of January in each of the last Twelve Years, including 1851; of the Number who have made their Escape in each of the same Years, or who have been pardoned in each of the same Years on Medical Grounds, or otherwise.

Year.	Number sentenced.	Number sent Abroad.	Number detained on the 1st of January.	Number escaped.				Number pardoned.					
				From the Hulks.	From Parkhurst and other Prisons.	Number retaken.	Total escaped.	On Expiration of Moiety of Sentence, or on Special Grounds.			On Medical Grounds.		
								Hulks.	Other Prisons.	Total.	Hulks.	Other Prisons.	Total.
1839	3,523	2,576	2,386	1	6	6	1*	219	30	249	- -	16	16
1840	3,921	2,570	3,239	1	5	5	1*	208	36	244	- -	8	8
1841	3,560	2,455	4,284	1	3	3	1*	257	25	282	- -	10	10
1842	3,921	4,085	5,050	1	6	6	1*	435	46	481	- -	18	18
1843	3,893	2,881	4,302	1	4	4	1*	860	36	896	- -	9	9
1844	3,195	3,085	3,719	- -	18	18	0*	576	123	699	- -	14	14
1845	2,841	2,964	3,479	1	10	10	1*	426	46	472	- -	4	4
1846	2,763	1,856	2,912	- -	4	4	0*	571	72	643	- -	2	2
1847	2,856	1,213‡	3,357	1	3	3	1*	676	64	740	40†	9	49
1848	3,152	1,338‡	3,778	13	20	20	0*	234	30	264	4†	19	23
1849	2,813	1,625‡	4,846	7	35	34	8*	122	51	173	27†	56	83
1850	2,256†	2,092‡	5,931	9	20	16	13*	77	31	108	17†	47	64
1851	2,800	1,318	6,191	3	6	3	6	12	- -	12	53	23	76

* This number includes only the convicts sentenced in England, the Returns for Scotland for the year 1850 not being yet completed.

† Includes the Invalid Hulk.

‡ The above numbers include the following, who only went to Public Works at Gibraltar and Bermuda:—1847, 300; 1848, 471; 1849, 149.

N.B.—The pardons granted from 1839 to 1847, inclusive, comprise a large number of convicts sent home from Bermuda, for the purpose of being released. Since the latter year the practice has been altered, and convicts at Bermuda who are pardoned are now discharged direct from the Colony. No separate account was kept on board the Hulks, prior to 1848, of convicts pardoned from thence on medical grounds.

RETURN showing the Number of Convicts, Male and Female, who arrived at Van Diemen's Land, during each of Twenty-two Years, from the 1st January 1829 to the 31st December 1850.

YEAR.	Number of Males.	Number of Females.	Average of Five Years. Males.	Females.	Total.
Arrived during the year 1829	930	181	—	—	—
„ „ 1830	1,937	235	—	—	—
„ „ 1831	1,901	340	—	—	—
„ „ 1832	1,252	149	—	—	—
„ „ 1833	2,362	310	—	—	—
„ „ 1834	1,380	151	—	—	—
„ „ 1835	2,194	299	—	—	—
„ „ 1836	2,248	317			
„ „ 1837	1,434	113			
„ „ 1838	1,940	284	1,588	240	1,828
„ „ 1839	1,139	302			
„ „ 1840	1,181	184			
„ „ 1841	2,682	806			
„ „ 1842	4,839	681			
„ „ 1843	3,043	684	3,527	684	4,211
„ „ 1844	4,322	644			
„ „ 1845	2,751	606			
„ „ 1846	1,714	335			
„ „ 1847	526	660			
„ „ 1848	820	338	1,241	561	1,802
„ „ 1849	1,061	668			
„ „ 1850	2,087	807			
Total -	43,743	9,094	—	—	—
First half of 1851	831	430	—	—	—

Average per annum :—

Males - - - -	1,988
Females „ - -	413
Total -	2,401

MILLBANK PRISON.

REPORT.

GENTLEMEN, *Millbank Prison, February* 10, 1852

THE improvement in the health of Millbank Prison, noticed in my last annual Report, has continued during the year 1851; no serious epidemic has prevailed. Few of the cases of fever which have occurred (for the most part in the autumn) have been severe; only one proving fatal. Erysipelas has scarcely shown itself. Influenza was rife in the month of March, but was not formidable in its attacks. Dysentery and diarrhœa, though prevalent, and fatal in two instances, caused less than the average sickness and mortality due to them in the last eight years. Inflammation of the lungs was the only disease at all remarkable for unusual frequency. In most previous years this severe malady had been of rare occurrence. Last year 19 cases of it occurred—a comparatively large number; and, as in several instances, it affected prisoners already suffering from other diseases, it proved proportionally fatal; namely, to four male prisoners.

The total number of deaths was 20, or 18·31 per 1,000 prisoners of both sexes. Amongst the male prisoners 17 died, or 18·51 per 1,000. Amongst the female prisoners, 3, or 17·26 per 1,000. (See Table I.) This rate of mortality is higher than that amongst persons of the same period of life out of prison; but it bears a very favourable comparison with the previous mortality of the prison, even in the most healthy years, if the small number of those pardoned on medical grounds, and of those removed to other prisons while labouring under disease of fatal tendency, be taken into account; and especially if the large number of unhealthy prisoners received be likewise considered.

The subjoined table gives the proportion of deaths alone, and of deaths with the pardons and removals on account of serious disease, during the four healthy years, 1843 to 1847, and the several subsequent years.

	Deaths per 1,000 Prisoners.			Deaths, Pardons, and Removals per 1,000 Prisoners.		
	Male.	Female.	All Prisoners.	Male.	Female.	All Prisoners.
Average of the Years 1843 to 1846 inclusive	17·16	15·06	16·77	40·36	31·62	39·33
1847 -	28·48	29·60	28·64	41·70	76·96	46·87
1848 -	57·69	21·51	53·88	66·60	43·02	64·70
1849 -	93·72	63·59	82·23	139·46	114·46	135·73
1850 -	21·97	26·15	23·39	44·94	52·29	47·65
1851 -	18·51	17·26	18·31	30·49	40·27	32·05

The nature of the fatal diseases during the past year, in the cases of the male and female prisoners respectively, is shown in the next table. The predominance of pulmonary consumption, and other scrofulous or tubercular diseases, will be observed.

Fatal Diseases or Causes of Death.	Number of Deaths.	
	Males.	Females.
Fever	1	
Dysentery		1
Diarrhœa	1	
Inflammation of the lungs, with pericarditis	1	
„ „ with old disease of the heart	1	
„ „ with tumour in the air-tubes	1	
„ „ with miliary tubercles	1	
Pulmonary consumption	4	
Tubercular disease of the brain	1	
„ peritonitis, with commencing pulmonary consumption	2	1
Diseased knee-joint, with commencing pulmonary consumption	1	
Disease of the heart		1
Diabetes	1	
Suffocation during a fit of epilepsy	1	
Suicide by hanging	1	
All causes	17	3

Five, however, of the prisoners who died of these diseases had decided symptoms of them at the time of their reception into the prison. Four others, who severally died of diseased heart, diseased knee-joint, diabetes, and epilepsy, laboured under those diseases when they were received. Of the remaining ten who died of bodily disease, seven were feeble when they came into the prison, or suffered from various chronic ailments, and only four were in apparently good health. (See Table II.)

Twelve prisoners were pardoned on medical grounds, consumption being the disease which formed the ground of medical recommendation for pardon in two thirds of the cases.

Diseases.	Number of Prisoners pardoned.	
	Males.	Females.
Pulmonary consumption	5	2
„ „ with disease of the bowels and bladder	1	
Diseased rectum	1	
Aggravated prolapsus ani	1	
Abdominal tumour		1
Convalescence from insanity		1
Total	8	4

All but three of the prisoners pardoned were in a diseased state when they came to Millbank prison. The exceptions were one of the men, and one of the women, who were released from imprisonment on account of their labouring under pulmonary consumption; and the woman who, having in the previous year suffered from insanity, and fortunately recovered, was recommended as a fit object for the Royal mercy, it being feared that either protracted confinement or transportation might induce a relapse. (See Table III.)

Three only of the prisoners removed from Millbank to Shorncliff and Dartmoor prisons, as invalids, or as fit only for light labour, had been suffering from diseases of fatal tendency; two, namely, from consumption, and the third from paralysis. All the three had been sent by "special order" to Millbank prison as diseased convicts.

Thus far, then, the facts to be reported with reference to the health of the prisoners during the past year are favourable, and show that little disease of a serious or fatal character arose in the prison. But from other facts it appears that the number of sick under medical care has been almost unprecedentedly large.

The number of infirmary sick has far exceeded the number in 1850, or in the more healthy years 1844 to 1846, and has nearly equalled the high proportion of sick in the unhealthy years 1848 and 1849. (See Table V.)

Years.	Daily Average Number of Infirmary Sick per 1,000 Prisoners.		
	Males.	Females.	Both Sexes.
Average of Years 1844 to 1846 inclusive	3·27	8·49	4·11
1847	5·60	13·28	6·73
1848	9·35	20·40	10·52
1849	8·24	19·31	9·89
1850	4·25	15·07	5·69
1851	7·25	13·64	8·27

In those years the increased number of infirmary sick was owing to the prevalence of severe epidemics of fever and cholera. In the year 1851, the cause has been of a different nature. It was mentioned in the last annual Report that a large number of convicts, unfit for convict discipline, had been sent to Millbank prison, and were accumulating there. The plans then decided on for providing a place of reception for such convicts having in the course of the past year been unsettled, and the measures afterwards adopted being still incomplete, the same state of things has continued at Millbank; for even a larger number of diseased and disabled convicts have been received. Only a partial relief has

been afforded by the removal of 53 for light labour to Dartmoor prison, and 78 as invalids to Shorncliff prison; and 220 male convicts belonging to one or other of these classes now remain at Millbank, 70 of whom are patients in the infirmary. The accumulation of diseased, aged, and feeble prisoners, affords then a sufficient explanation of the increased number of infirmary sick during the past year.

The cases of slight indisposition treated in the wards of the prison ("new cases," see Table VI.), have, at least among the male convicts, been only slightly more numerous than in the previous years. The renewed applications ("old cases") were, it is true, in much larger proportion; yet this, I believe, was not owing to the greater severity of the attacks of indisposition treated as "casual sickness," but rather to the larger number of infirm and sickly prisoners, who have been almost constantly under treatment for their various chronic ailments. With respect to the apparently vast number of cases of "casual sickness" generally, it should be borne in mind that at the Millbank prison as well as some other prisons, every issue of medicine from the dispensary of the prison, though it be merely a single aperient dose, or an application to a trifling external wound or sore, is recorded, and the case reckoned as one of casual sickness.

The table of insane cases during the year 1851 (see Table IV.), is a more than usually extended one, but, when examined, affords no reason for the belief that new causes tending to injure the minds of the prisoners have been in operation at Millbank prison. Of the eight patients removed to Bethlehem Hospital, the five following were decidedly insane when they were received at Millbank:—

John Bott	- - received from	Wakefield.
Robert Wheales	- „ „	Walsingham.
George Cousins	- „ „	Wakefield.
Thomas Cain	- „ „	Castle Rushin.
Joseph Smith	- „ „	Leeds.

Two others were noticed at the time of their reception to be of very low intellect, one of them also sullen, and in a state already verging on insanity. These were—

Michael M'Guire	- - received from	Salford.
Thomas Whittaker	- „ „	York.

The case of Michael M'Guire was detailed in the last annual Report.

Thomas Whittaker, who had been convicted of an unnatural crime, appeared from the time of his reception weak in intellect, was idle, inattentive to all rules for order and cleanliness, noisy, frequently disturbing the ward by singing and whistling, and, when admonished, most violent and abusive in his language. Unequivocal symptoms of insanity showed themselves on the 23d October, after he had been eight months in the prison.

The only patient removed to Bethlehem Hospital who was received in a sound state of mind, was Ann Moran. This

prisoner was received from York, on the 28th March 1849. Her insanity declared itself in the form of violent mania, on the 28th March 1851; but, for some weeks previously, she had been strange in conduct, pilfering various articles of clothing, &c.; concealing them in her bed, telling falsehoods without any apparent motive, &c.

Five patients who suffered from different forms and degrees of disordered intellect were not removed to a lunatic asylum. One of these—

William Lamb, received from Aberdeen, was in a state of complete dementia at the time of his reception; another,

Daniel Coghlin, received from Manchester, on the 13th February 1851, was a man of naturally weak intellect, and timid disposition. From the middle of September 1851, he laboured under delusions, characterized chiefly by fear of injury to himself. He has recovered.

The three following were apparently of sound intellect at the time of their reception into the prison; although one of them had been insane previously:—

Cain Squires	-	-	received from Wakefield.
Henry Smith	-	-	„ „ Warwick.
Henry Scull	-	-	„ „ Bristol.

Cain Squires, who was received on the 15th February 1851, began to manifest some disorder of intellect in May. His only delusion related to his trial and sentence. Under the influence of this delusion he has at times been restless and excited. But usually he has been quite tractable, and during long intervals has apparently recovered his soundness of intellect.

Henry Smith was received into the prison on the 13th February 1851. He was a youth of considerable intelligence. His delusions, which for the most part have religious questions for their subject, unfortunately still persist; although he is in good bodily health, and retains perfect clearness of intellect on general matters.

Henry Scull was sent to Millbank prison from Bristol on the 28th of January 1851. He began to talk incoherently at the commencement of August, soon afterwards became violent and destructive, and then lapsed into a state of dementia. Within the last two months his state of mind has so much improved as to give strong grounds for hope that he will speedily recover. His removal to Bethlehem Hospital, an order for which had been obtained, has, consequently been postponed. His parents, who visited him during his insanity, stated, that he had twice before been insane, with the same symptoms, and had even required restraint.

With respect, then, to the origin of the cases, the facts are, that of the 13 insane patients, 6 were, at the time of their reception insane, 3 of weak mind, and 4, including the female patient, of sound mind. Extending the same inquiry to all the cases of insanity that have occurred in the prison amongst the male

prisoners during the last eight years, we obtain the following results :—

	Average daily Number of Male Prisoners.	Total Number of Insane.	Insane when received.	Of weak Mind when received.	Of sound Mind when received.
Year 1844 - -	699	3	3	—	—
„ 1845 - -	828	4	1	1	2
„ 1846 - -	845	8	3	—	5
„ 1847 - -	983	7	4	2	1
„ 1848 - -	1,223	11	7	1	3
„ 1849 - -	896	15	10	1	4
„ 1850 - -	1,001	6	1	2	3
„ 1851 - -	918	11	6	2	3
Aggregate numbers for the 8 years - -	7,393	65	35	9	21
Annual proportion of insane of each class, per 1,000 prisoners - -		8·75	4·73	1·21	2·84

During the period specified, 65 male prisoners have come under treatment for insanity in the prison ; but of this number 35 were insane when they were received, and 9 were of weak mind, or, in some instances, in a state verging on insanity. Only 21 were in quite a sound state of mind when they came into the prison ; and if we compare these numbers with the male population of the prison during the same period, we find that the annual proportion of cases of insanity in patients previously of sound mind was somewhat less than 3 (2·84) per 1,000 prisoners ; and, including the cases of patients previously of weak mind, more than 4 (4·05) per 1,000 prisoners. This at first sight appears a higher rate of cases of insanity than would be expected in the Millbank prison, where, for several years past, only about two thirds of the male convicts have been confined in separate cells, and where the average terms of imprisonment in the several years have ranged between $2\frac{1}{2}$ months and $6\frac{1}{2}$ months ; but before the numbers above given are left for comparison with the statistics of other prisons, it must be explained that they include the slighter forms of disordered mind, consisting in "delusions," and that many of the patients recovered in the prison, several after very short attacks. From the subjoined table it will be seen, that, of the 30 prisoners attacked with insanity during their imprisonment (those previously of weak mind or doubtful sanity being included), 14 recovered without removal to a lunatic asylum, or other place of confinement. The remaining 16, who did not thus speedily recover, or who died, give an annual ratio of only 2 (2·16) per 1,000, when compared with the number of male convicts in the

prison during the eight years. And this ratio, though double that of the cases of insanity of similar severity which occur annually amongst the general population out of prison, is not greater than might perhaps be anticipated from the nature of the various influences acting on the minds and bodies of convicted criminals. That the length of the imprisonment, up to a certain limit, affects the result considerably, is quite certain, and is rendered sufficiently apparent by the following facts :—

		Recovered in the Prison.	Removed to Bethlehem or other Prisons or Asylums.	Died.	Remarks.
Insane prisoners, of weak mind when received - -	9	1	6	2	One committed suicide, and one died of dementia.
Insane prisoners, of sound mind when received - -	21	13	7	1	Died of bodily disease unconnected with his insanity.
Both classes - -	30	14	13	3	

During the former four years of the period above referred to, the average duration of the imprisonment of the male convicts was only three months and seven days ; and the number of cases of insanity amongst them was 11, or 3·28 per 1,000 prisoners annually. During the latter four years (1848 to 1851 inclusive) the average duration of their imprisonment was five months and six days ; and the number of cases of insanity was 19, giving an annual ratio of 4·70 per 1,000 prisoners. Omitting the cases of those who recovered in the prison, the number of cases in the former period becomes five, and the annual ratio 1·49 per 1,000 ; the number in the latter period 11, or 2·72 per 1,000 annually.

The same result, namely, the increasing risk to insanity that attends the protraction of imprisonment, at all events through the first 12 months, is shown more precisely in the subjoined table. It will be seen that of 30* male prisoners who became insane in Millbank prison in the course of the last eight years, only 9 were attacked during the first three months of their imprisonment, 9 in the course of the second three months, 8 in the course of the third three months, and 4 at later periods ; while about 16,000 prisoners passed through a single three months' imprisonment, only about 8,400 through a second three months' imprison-

* In three cases (L. D., J. J., and M. M'G.) the men were so exceedingly imbecile or melancholic at the time of their reception, and passed so gradually into a state of complete insanity, that the period of the commencement of their attacks cannot be exactly determined. Two of these cases are referred to the first three months, and one to the second three months of imprisonment.

ment, about 4,200 through a third three months, and about 1,200 through a fourth three months: so that the ratio of cases of insanity has been nearly twice as high in the second three months of imprisonment as in the first three months, and in the third three months more than three times as high as in the first.

Periods of Imprisonment.	Approximative Number of Prisoners who passed through each Period.	Number of Cases of Insanity occurring in each Period.	Annual ratio per 1,000 of Cases of Insanity for each Period.
First Three Months - - -	16,000	9	2·25
Second Three Months - - -	8,400	9	4·28
Third Three Months - - -	4,200	8	7·61
Fourth Three Months, or later - -	1,200	4	—

With respect to the particular influences which give rise to mental disorder with this increasing frequency during the first nine or twelve months passed in prison, it may, I think, be affirmed that the more powerful ones are included under the following heads:—

1. The various feelings of remorse, shame, and despondency, which act most strongly on educated and sensitive minds, and at an early period.

2. The withdrawal of the accustomed external sources of excitement, inducing a state of inertia, or torpor of mind, which leaves any tendencies to mental disease more free to develope themselves. This cause affects more frequently men of low intellect and deficient education, and, in others, produces its evil results at a later period.

3. Various morbid influences acting on the mind through the body; including many disturbances of the general health, due chiefly to comparative deficiency of exercise and fresh air, and the exhaustion of nervous power induced by the "solitary vice;" this last cause operating especially on young persons, and generally after some months imprisonment.

All these influences, but especially the latter two, will, it is obvious, have greater sway in proportion as the imprisonment involves more of actual seclusion. It is, therefore, not surprising that at Millbank prison during the last eight years the cases of insanity have been much less numerous among the prisoners "associated" in large rooms, than among those confined in "separate" cells. The number of prisoners in separate cells has, on the average, been 624; the number in association, 298. The cases of insanity among prisoners of the separate class have numbered 24; the cases among those of the associated class have been 6. The annual ratio of cases of insanity has, consequently, been

only 2·52 per 1,000 among the latter, and 4·78 per 1,000 among the former.

An important fact remains to be noticed, namely, the much larger proportion of men originally of weak or dull intellect among the prisoners who became insane while in separate confinement. Of the 6 prisoners attacked with insanity while in "association," only 1 was weak-minded at the time of his reception; while of the 24 men who became insane in separate cells, 8 were imbecile, or of a very low grade of intellect. If, now, these men of originally weak mind be excluded from the calculation, the preponderance of cases of insanity among the prisoners in "separation" is, of course, much diminished; for there remain only 16 cases of insanity amongst prisoners of the separate class, or 3·19 per 1,000 annually; and 5 cases among those of the associated class, or 2·10 per 1,000 annually. From the calculation thus made, the inference at first sight appears to be deducible, that men of sound mind do not suffer in any very considerable degree more from separate confinement than from imprisonment in "association," but in more or less strict silence. But such a conclusion would be erroneous: for the average term of imprisonment of the prisoners of the "associated" class at Millbank prison has been far longer than that of the prisoners of the "separate" class; the 700 prisoners of the juvenile class, who in the years 1844 to 1848 underwent on the average 12 months imprisonment, and nearly all the prisoners who on account of physical disabilities or other causes have been detained for long periods in the prison, except the "incorrigibles," having been in "association." So that if the influences tending to disturb the intellect acted equally under the two modes of imprisonment, the proportion of insane ought to be much greater among the pritoners in "association;" while, notwithstanding their longer serms of imprisonment, it has been one third less.

The above-mentioned facts do, however, show incontestably the great danger that attends the confinement of prisoners of weak minds in separate cells. It might, I think, almost be affirmed that men of any considerable degree of imbecility, or great dullness of intellect, will with certainty be rendered actually insane or idiotic by a few months separate confinement; and the multiplication of cases of insanity at Millbank prison, where so many men of impaired or deficient mind are received, has been prevented only by the precaution of placing in association all such prisoners as soon as their infirmity of mind became known to the medical officer.

The man who committed suicide on the 25th September 1851, after having been eight months in the prison, had been convicted and sentenced to transportation for an unnatural offence. He had manifested no symptoms of insanity, nor any great despondency, and the only probable motive for the act was the fear of immediate transportation, since he had been on the previous day inspected, together with other prisoners, who were about to be removed from the prison.

The great number of sick, and especially of infirmary sick, among the female prisoners, may appear to require explanation. It has been chiefly due to the large number of female convicts in the prison, from various causes disqualified for transportation, for the most part received into the prison in the same condition, and in many instances unfit for the discipline of the prison. The number of such invalid female prisoners now amounts to 50; of this number several will soon have reached the period of their imprisonment, at which their cases will be brought under the consideration of the Secretary of State.

Before concluding this Report, I may be allowed again to refer to the subject of the male invalid convicts. The restrictions on the reception of prisoners disqualified for convict labour and discipline have, during the past year, been so slight that from the number received an approximative estimate may be formed of the number of invalids for which accommodation will be needed in the invalid hulk. 2,111 male convicts were received into the prison in the course of the year 1851, and of this number 200, or 10 per cent., were on reception disqualified for labour or convict discipline. In the course of the year 50 others, or $2\frac{1}{2}$ per cent. on the number received, became disqualified through various causes; and, as the term of imprisonment is longer in other Government prisons than at Millbank, the proportion of cases of disqualification arising in those prisons may, I think, be estimated at 5 per cent. on the number received. The proportion of 15 per cent. of the whole body of convicts sentenced to transportation will, therefore, probably give very nearly the number of prisoners originally disqualified, together with those becoming disqualified in the Government prisons. Of these disqualified prisoners, however, at least a third will be capable of *light labour* at Dartmoor prison, or other convict establishments, so that of the whole number of convicts about 10 per cent. will be sent annually to the invalid hulk.

I have the honour to be, Gentlemen,
Your most obedient humble servant,
WILLIAM BALY, M.D.,
Medical Superintendent.

MEMORANDUM CONCERNING ALTERATIONS IN THE DISCIPLINE AT PENTONVILLE.

There is a considerable difference in the circumstances of the prisoners now at Pentonville, as compared with former periods; on the one hand, all classes of prisoners are received instead of the careful selection that was formerly made; on the other hand, the period of confinement has been diminished, an increased amount of exercise has been given, and an endeavour made to impart more vigour to the industrial employment in the cells. There is, also, partial association of some selected prisoners for

prison employments to which suspected cases may be sent, and facilities are given for the immediate removal, on the recommendation of the medical officer, of any prisoner whose mental or bodily health appears to be injuriously affected by the discipline.

The recent outbreak of mental affections, notwithstanding the ameliorations that have been introduced, appears to indicate that some defects still exist. With a view to the consideration of this important subject I would suggest that the governor, the chaplain, and medical officer be each called upon to consider the circumstances of the prison as it now stands, and to submit to the Board any suggestions that may occur to them.

Their attention might be directed more especially to the following points :—

1. Whether it appears necessary, with reference to the provision of the 3 & 4 Vict. c. 56, to reject any particular description of prisoners as being unfit subjects for separate confinement, such, for instance, as those of dull intellect, or others who do not speak the language, and are, therefore, less capable of instruction.

2. Whether the arrangements at Wakefield and Leicester, with regard to assembling for public worship, school instruction, exercise in association, &c., are likely to be the cause of a more favourable effect of separate confinement on apparently the same class of prisoners.

3. Whether a greater stimulus or a greater degree of vigour cannot be imparted to the trades and occupations in the cells.

4. Whether it will be necessary and desirable, after a certain period of confinement, to exercise all prisoners in association, and whether the removal of both the long ranges of exercising-yards will be sufficient for such purpose.

5. Whether the garden at the back of the prison might not be advantageously cultivated by prisoners selected from those who may have been a certain period in confinement.

6. Whether dispensing with the mask would be likely to be attended with a beneficial effect.

To Capt. O'Brien, Visiting Director.

The following are EXTRACTS from the REPORT for 1850, of Dr. GIVEN, PHYSICIAN to the EASTERN STATE PENITENTIARY of PENNSYLVANIA :—

"As regards the effects of weaving and shoemaking on the health, I believe that much, very much, can be done to avert their evil tendencies. In the first place the strictest scrutiny should be exercised that the prisoners selected for these employments possess the necessary mental and physical vigour to resist their enervating influences. This has not heretofore been the case. Prisoners are often put to weaving and shoemaking whose unhappy fate the officers truthfully predict on the day of

their reception. The present exercising yards are comparatively little used, and their high walls obstructing the sun, are almost perpetually damp, and aid very much in keeping the cells in the same condition. The labour and expense of converting these yards into excellent workshops would be comparatively trifling, and other exercising yards in every respect superior could be erected at a proper distance. This alone would exert the happiest influence on the health of the prisoners, especially if some simple gymnastic exercise were combined with it. I have been informed that machines can be easily constructed which would enable our shoemakers to stand erect when at their work. If this be true the suggestion should not be lost sight of, as cordwaining is by far the most destructive to health of all our employments. Besides, when symptoms of failing health appear, such arrangements should exist as would enable us, instantly, to remove the individual to some out-door employment, at which he could remain until either his health is restored or his sentence expires. At the present time, when the health of a weaver or shoemaker begins to fail, he must either struggle on at his original employment, or quit it for entire idleness in the Infirmary, or be removed to one of the old blocks, where he remains profitless to the Institution, and a burthen to himself. The effect of this is quite obvious.

"As I have before declared, nearly a third of our prisoners are entirely idle, or engaged at that detestable wool and oakum picking, or analogous employments. This class is composed of those who enter the Institution in imperfect bodily health, or with minds so dull or otherwise imperfect as to render their instruction in any mechanic art too tedious or unprofitable; and by those who, having been received in good bodily and mental health, have had either the one or the other impaired while engaged at weaving or shoemaking. Now, it is evident, that in every respect this is the very worst provision that could be made for these individuals. In a pecuniary sense it is ruinous, and to the health of both mind and body it cannot fail to prove inimical. There certainly is no necessity for this. What then is to be done? To this question I believe I can give a satisfactory reply.

"Let us suppose that one hundred and twenty prisoners are received during the year. Of these, a certain number will be found to possess the necessary strength of body and mind to resist the unhealthy influences of weaving and shoemaking.—Let them be so employed. In another class we will find the body strong and vigorous, but the mind somewhat defective. Let these men be kept at some laborious employment in the open air—sawing stone for example—and whether the sentence be one year or ten, so far from being an expense to the State, their labour will prove profitable to the Institution; and, what is of infinitely more importance, preserve their mental and physical health unimpaired. A third class will present themselves with their minds ordinarily developed, but in delicate bodily health. These men require some light out-door employment, or to be kept in suitable workshops, at easy and healthy occupations—chair seating, turning, carving, &c. And a fourth class differing from all these will be discovered—coloured boys—to whom, under present arrangements, a sentence of three years is almost equivalent to one of death. I do not believe that the high mortality which prevails among coloured prisoners is due to any *particular* influence of the separate discipline on persons of the African race, but because nature has endowed them with less vitality than their white brethren, and hence they more readily yield to the same destructive influences. I believe all that is necessary to relieve us from our present anxiety respecting them is to improve the hygienic arrangement

of their cells, and to take proper advantage of the ample space within the walls for affording them out-door exercise and employment. What else than disease and death can be expected from shutting up in a close and damp cell, at an unhealthy employment, a half developed boy of feeble organization? If we were to place five hundred together under similar conditions they would inevitably die in the same proportion as under their present isolation.

"The foregoing is not by any means a fanciful classification of our prisoners. The distinctions are strongly marked, yet all are now treated alike:—the white and the black, the old and the young, the feeble in body and the robust, the weak intellect and the strong, whether the sentence be one year or ten, are nearly all subjected to the same unvarying discipline. Is there not a large amount of disease due to this indiscriminate administration?

"I have often mentioned the necessity of out-door exercise and em ployment, in order to preserve or restore the health of our prisoners. Should I be asked, is it possible to grant this advantage to the extent I have indicated? I confidently answer, Yes. We have ample space within the walls to admit of at least fifty prisoners being employed five or six hours a day in the open air, without any more intercourse with each other than if they were confined to their cells. If it were possible to get rid of the present amount of disease, and to start with three hundred fresh prisoners, the proper occupation of our now almost useless yards and gardens would preserve a degree of health among them that was entirely unknown to their predecessors, even should the other hygienic defects remain as at present.

"I would not be understood to intimate that there is now no out-door exercise afforded to our invalids. Thanks to my predecessor, there certainly is; and though somewhat extended since his time, yet on quite too limited a scale—just enough to faintly shadow forth the vast advantages it is capable of yielding, were it carried to its proper limits or resorted to at a proper time.

"Before leaving this subject, I wish distinctly to declare that, in giving prisoners out-door exercise and employment, *I neither desire, nor deem it necessary, to modify in any way their present rigid separation from* EACH OTHER. Nor will I admit, that my earnest desire to place them under such influences as are calculated to prolong their lives and preserve their reason is the result of any mawkish sensibility. I am willing that the most extreme penalty of the law should be inflicted on any offender whose guilt deserves it; but I cannot admit that a sentence of *imprisonment* justifies the community in placing the convict under any circumstances likely to injure the health of either body or mind. And with those whose consciences are tender on the score of making the situation of the prisoner more desirable than that of the honest and industrious poor man or pauper, I heartily sympathize; but would with great humility ask, if the true exercise of their philanthropy would not consist in endeavours to alleviate the condition of the latter, and not in wishing to see the former still more wretched?

"Though the unhealthy avocations pursued by the prisoners, and the hygienic defects I have declared to exist in the construction of our cells, must injuriously affect the health of their minds, these must be supposed to do so through their influence on the bodily organs. Those privations which we may consider as acting directly on the mind itself I shall now briefly mention.

"I have heard various estimates of the amount of intercourse afforded to our prisoners, but they were all very much exaggerated. My own observation, and the opinion of our most intelligent officers, satisfy me

that the average daily conversation of each prisoner, unless it be with those

> "Airy tongues that syllable men's names
> On sands, and shores, and desert wildernesses,"

does not exceed, if, indeed, it equals, ten minutes. This is quite too little. Men of strong and cultivated intellects, with books for companions, might bear uninjured this privation of social intercourse; but the ignorant and weak-minded prisoner must be more or less injuriously affected by it. If it were not possible to remedy this evil, how far it might be urged against the system I shall leave others to determine; but, happily, there is no amount of intercourse necessary that cannot be afforded with the greatest ease. Heretofore, the individuals permitted to visit the prisoners for the purpose of moral instruction, &c., have been invariably confined to the more educated classes. I believe this to be an error. Among those of our citizens who have less pretensions to intellectual culture, many will be found who possess every qualification necessary to render their intercourse with our convicts highly beneficial; I would, therefore, earnestly recommend that their services be immediately solicited.

"Though our library is at present much better adapted to the mental capacity and wants of our prisoners than it was a few years ago, it is still susceptible of great improvements. Besides, I fear there is not always the necessary care taken in distributing the books it contains to adapt them to the mental development of the different prisoners. I have certainly known works that could interest and instruct the educated only, put into the hands of prisoners in no way qualified to understand their subjects, or appreciate their merits. In order to derive from the distribution of books all the benefits they are capable of yielding, I would recommend that when given to a prisoner he should be informed that in due time he would be questioned respecting their contents, and required to discuss their character and merits. If those who enter the cells for the purpose of instruction, &c., were steadily to pursue such a plan as this, they would afford more real intercourse, and impart more solid benefit to the prisoner, than ten times their number following the present desultory conversations.

"The dread of informing prisoners of the occurrences of the day is not now so strong as formerly; but I believe they are still kept quite too ignorant of passing events. The congregated convicts are much better off in this respect than their isolated brethren, as each fresh accession to their number imparts to them all that has past up to the date of his imprisonment; and I consider it well that it is so, for to afford a prisoner no knowledge of what is passing in society is to consign him to a living death, and must certainly disturb the balance of his mind, without in any way, that I can conceive, benefiting his morals. But there is another light in which this privation must be contemplated. One of the most pleasing and important features of the Pennsylvania System is the protection it affords the convict from future recognition either by his fellow prisoners, or others that vulgar curiosity may have attracted to the scene of his incarceration. Yet do we not often place him in imminent danger of detection by restoring him to society as ignorant of its current events as if he had risen from the dead?

"I am certainly of opinion, that some means of connecting the separated prisoner with the world beyond the walls would in every respect prove to his advantage; but I hope not to be understood as recommending him to be informed indiscriminately of all that passes.

"I believe that we should permit a much freer intercourse between

the prisoner and his friends than is now the case. Letters—always passing through the Warden's hands—and visits from such relatives as are known to pursue a virtuous life, might be made the means of infinite good to both the mind and morals of the isolated convict.

"The many rude attempts among our prisoners at the construction of musical instruments show their strong yearnings after this harmless and agreeable recreation. Occasionally, in the different corridors, the stillness of evening is broken by strains which, though

"No music of the spheres,"

are, nevertheless, a source of infinite pleasure to the lone musician; and are, I will venture to say, attentively listened to by his less gifted neighbours. By many my views may be strongly opposed, but I must express my hearty desire to see every prisoner in the Institution who has the slightest musical talent, furnished with whatever instrument he prefers, and encouraged to use it at proper times for his own pleasure and that of his associates who may not have the good fortune to possess this enviable faculty. Nor in making this recommendation is it the mere amusement of the prisoner that I have in view, though I consider even that a legitimate object. Over the moral and intellectual nature of man music has long been acknowledged to possess the most unequivocal influence. If we go back to the sacred writings we find many striking illustrations of its power; the Egyptians resorted to its influence in the education of youth, in order to promote virtue and morality; and in later days the most prominent divine that ever lived, declared, 'music to be one of the most beautiful and glorious gifts of God, to which Satan is a bitter enemy.'

"If blind revenge were the only object of imprisonment, the mental relaxation I have just indicated would certainly be out of place, but—in an age which declares the reformation of the convict to be the *chief* motive for his incarceration, and under a system of discipline which professes to accomplish this desirable result more effectually than any other—I consider that we may not only unhesitatingly, but that it is a duty incumbent upon us to furnish the offender with any source of harmless amusement that is compatible with his safe detention. Though under the separate discipline there need be no difficulty in affording the prisoner sufficient social intercourse to preserve the balance of his mind, he will, nevertheless, have many lonely hours that it would be cruel to deprive him of *any* harmless means of beguiling."

NOTICE TO PRISONERS UNDER SENTENCE OF TRANSPORTATION.

Separate Confinement.

Prisoners may be recommended for removal on special grounds at any time, but in ordinary cases they will be detained in separate confinement for twelve months.

The conduct and character of each prisoner will be carefully watched and noted. Deserving prisoners will receive a good conduct badge to be worn on the dress after they have been a certain time in the prison.

On removal from the prison to public works, prisoners will be placed in one of three classes according to the report of their character, industry, and moral improvement, while in separate confinement.

Prisoners who are deemed to be incorrigible will be specially dealt with.

First class prisoners removed to public works will, by continued good conduct, become eligible to be recommended for embarkation at the periods noted in the following scales.

Second class prisoners will be liable to three months', and third class prisoners to six months' additional detention beyond the period fixed for the detention of first class prisoners.

Public Works.

Ordinary periods of detention on public works in this country proportioned to the terms of different sentences for convicts who have previously passed twelve months in separate confinement.

Scale No. 1.

A prisoner sentenced to	7	years,	for a period not less than	2	years.
ditto	10	„	„	$3\frac{1}{2}$	„
ditto	15	„	„	6	„
ditto	20	„	„	$8\frac{1}{2}$	„
ditto	Life *	„	„	$10\frac{1}{2}$	„

If a prisoner has been more or less than one year in separate confinement, the difference will be deducted or added to these periods.

These periods, together with the previous term passed in separate confinement, and the time occupied in the voyage, are calculated to make up about half the period of sentence.

It is, however, to be clearly understood, that it is only in cases of prisoners conducting themselves in a satisfactory manner, that any such remission of their sentence can be recommended, and that they can only be embarked as opportunities offer, and as may be convenient to the public service.

As a further encouragement, however, such prisoners as conduct themselves in an exemplary manner, and who show, by their general demeanour and willing industry, that they have profited by the instruction they have received, and are likely to become useful members of society when released from penal discipline, will be eligible to be specially recommended to the Secretary of State at the expiration of a period short of that on the foregoing scale, but not less than according to the following scale No. 2.

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* In the above scales a sentence for life is reckoned at 24 years.

Minimum period of detention on public works, applicable to prisoners whose conduct is exemplary.

Scale No. 2.

A prisoner sentenced to	7	years,	for a period not less than	1	year.
ditto	10	„	„	„	$1\frac{3}{4}$	„
ditto	15	„	„	„	3	„
ditto	20	„	„	„	4	„
ditto	Life *	„	„	„	5	„

If a prisoner has been more or less than one year in separate confinement, the difference will be deducted or added to these periods, as before explained.

In order that every prisoner may be aware of his situation, and the effect which his conduct may have in diminishing or extending his period of probationary discipline, records of his conduct, character, and industry will be kept by the governor, chaplain, and other officers, which will be examined monthly (or oftener if required) and the results communicated to the prisoner.

If a prisoner's conduct has been in all respects exemplary during the month, he will receive a badge to be worn on his arm, which, if not forfeited by subsequent misconduct, will afterwards enable the director to recommend him for a remission of one month of the period of detention set forth in scale No. 1.

Thus a prisoner under sentence for seven years, who had passed twelve months in separate confinement, would, by exemplary conduct for twelve months on public works, place himself in a position to be specially recommended for twelve months' remission of the period laid down in scale No. 1, and might thus become eligible for embarkation in the minimum period of twelve months, as laid down in scale No. 2.

Or a prisoner under sentence for ten years, having passed a like period in separate confinement, conducting himself in an exemplary manner, would place himself in a position to be recommended for embarkation in the minimum period of one year and three-quarters, as laid down in scale No. 2, instead of being detained three years and a half as prescribed for ordinary cases in scale No. 1. Prisoners entitled to a less number of badges would be eligible for recommendation at some intermediate period.

Penalties.

Prisoners persevering in misconduct, or who are idle and negligent, and have been in consequence passed over, when they might by a different course have entitled themselves to be recommended for embarkation, will be liable to serve a further and longer period of probation on public works in a penal or other colony, or they will be liable to be sent back to separate confinement, forfeiting the time already served, and again commencing their periods of probation.

* In the above scales a sentence for life is reckoned at 24 years.

Prisoners who shall commit any act of outrage, or insubordination, or who shall attempt to escape, or persist in general misconduct, will thereby forfeit all claim to any indulgence or remission of their sentences, and will render themselves liable to be transported to a penal colony, where they will be placed under discipline in its severest form.

Tickets-of-leave.

1. Rules and regulations for the maintenance of good order among ticket-of-leave holders are framed and promulgated in the colony. The following are at present some of their principal conditions, but it must be distinctly understood that they are liable to be varied as may be judged to be necessary and proper by the authorities on the spot :—

2. A convict embarked from this country as a ticket-of-leave holder will not pass out of the custody of the Government in the colony, until he shall be engaged, for at least a year, for service with some private employer, who shall be responsible for making a certain payment, as hereafter explained in paragraph 5. If suitable service cannot be obtained, the convicts will be employed by Government at wages, out of which they will receive clothing and rations. A small proportion will be paid to them in money, and the remainder credited towards the liquidation of the amount required to be paid to the Government.

Until this amount is paid, a convict will only be entitled to a probationary ticket-of-leave, but the full privileges of a ticket-of-leave will be granted as soon as he shall have paid the sum required, provided his conduct has been in all respects satisfactory.

3. The ticket-of-leave holder is required to remain in a particular district, within which he may hire himself out for wages, this is usually a country district, and he must not quit it without obtaining a pass from a magistrate ; he must register his place of residence and any change of it ; he must be at his own dwelling from ten o'clock at night until day-break ; and he must report himself at certain periods in the year at the police-office of his district. For some classes of offences he is liable to summary jurisdiction, and his ticket-of-leave may be recalled for misconduct, in which case he will be subjected to penal labour.

Conditional pardons, payments, &c.

4. Prisoners holding tickets-of-leave in a colony may, by continued good conduct, become eligible for a conditional pardon, after the lapse of certain periods from the time of landing in the colony, proportioned to the respective terms of transportation. Such pardon will restore them to liberty on condition of their not returning to this country, during the term of their original sentence, unless some special condition is attached to the pardon.

These periods will be proportioned to the respective sentences, according to the following scale :—

7 years, men	-	1½ year.
10 „	-	2 „
15 „	-	3 „
20 „	-	4 „
Life „	-	5 „

5. Prisoners, however, will be required to pay a certain sum to the Government in the colony, before such conditional pardon is granted. This sum will have to be reckoned as follows :—a certain rate of annual payment to be made by prisoners will be named in the colony, which will be not less than 3*l.*, nor more than 5*l.* a year, and the whole sum to be paid by each prisoner may then be calculated from the above scale, viz. :—

7 years, men	-	1½ year's payment
10 „	-	2 „
15 „	-	3 „
20 „	-	4 „
Life „	-	5 „

6. The privilege of holding a probationary ticket-of-leave, or other remission from penal labour, may be forfeited by misconduct on the voyage.

REGULATIONS FOR HOLDERS OF TICKETS-OF-LEAVE.

1. All tickets-of-leave are issued for particular districts, named in the tickets-of-leave ; or passports are allowed to enable the holders to remain in the service of their masters beyond the boundaries of their district.

2. Every man holding a ticket-of-leave is required, within seven days after his arrival in his district, to report himself, either personally or in writing, to the nearest Resident Magistrate, for the information of the Comptroller-General, giving his name, the ship he arrived in, his master or employer, his trade or calling, or his mode of maintaining himself, and his rate of wages ; and also, to do so between the 1st and 14th January, and the 1st and 14th of June in each year, to the nearest Resident Magistrate.

3. Every ticket-of-leave holder is required to report to the Comptroller-General every change of service or residence within the district, within fourteen days of its taking place, and to obtain the sanction of a Magistrate in the mean time.

4. Immediately after the 14th of January and the 15th of June, the Resident Magistrate will report to the Comptroller-General the names of all absentees who have not duly reported

themselves as directed in paragraph 2, with a view to the forfeiture of tickets-of-leave of such men.

5. The Resident or any other Magistrates of the several districts will, whenever they think necessary, interrogate the holder of a ticket-of-leave as to his manner of life or means of subsistence; and if not satisfied that the ticket-of-leave man subsists honestly, will report the same forthwith to the Comptroller-General for the information of the Governor.

6. No ticket-of-leave holder can change the district assigned to him without permission in writing from the Comptroller-General, to whom all applications for change of district must be made, accompanied by a character for sobriety and good conduct, signed by his last master or a magistrate of the district he wishes to leave.

7. The district in which a ticket-of-leave is considered to have effect is the district within which the authority of the Resident Magistrate extends, as marked in the official boundary maps.

8. No ticket-of-leave holder is to be absent from his district without a pass, except in the exercise of his duty as a constable.

9. No pass can be granted to a ticket-of-leave holder to be absent from his district, except by the Comptroller-General or the Resident Magistrate; if by the Resident Magistrate, it cannot be granted for a longer period than fourteen days.

10. Forms of these passes, as well as Register Books for the ticket-of-leave men within their respective districts, will be furnished to the Magistrates by the Comptroller-General.

11. No ticket-of-leave holder for a country district is allowed to be in either of the towns of Perth or Fremantle without a pass; any man having a pass for this purpose, to produce it immediately on his arrival—if at Perth to the Colonial Secretary, or at Fremantle to the Comptroller-General, or in their absence to the Resident Magistrate.

12. Any ticket-of-leave holder absconding from his district will be charged with the whole amount of the expenses incurred in his capture.

13. No ticket-of-leave holder is allowed to be employed on board whaling or other vessels.

14. No ticket-of-leave holder is allowed to have a license to keep a public-house, or retail spirituous or fermented liquors.

15. No ticket-of-leave holder is allowed to be absent from his employer's house or his regular place of abode, after ten o'clock at night, without a pass signed by his employer when on business, or by a police or other magistrate.

16. The breach of any of these Regulations will subject a ticket-of-leave holder to be deprived of his indulgence, and to be returned to the penal establishment, which will not be restored him in less than six months, except under special circumstances.

17. Any ticket-of-leave holder who shall be guilty of repeated acts of drunkenness, or of any immoral or disorderly conduct, is also liable to forfeiture of his ticket-of-leave.

18. Any ticket-of-leave holder forfeiting his ticket-of-leave, returns to the position of any ordinary prisoner of the Crown, and forfeits all privileges belonging to a ticket-of-leave, and shall be detained until he shall have served the full term of his unexpired sentence or sentences, as well as of the time during which he shall be absent as an absconder. The indulgence of a ticket-of-leave can only be restored to him at the pleasure of the Governor.

19. Every person having a ticket-of-leave man in his employment is to report immediately to the nearest Magistrate and to the Comptroller-General, in case such ticket-of-leave man shall be absent without leave, or shall abscond from his service, or from the district assigned to him; and such Magistrate and Comptroller-General will forthwith issue warrants for his apprehension.

20. Such reward as his Excellency the Governor on the recommendation of the Comptroller-General, may see fit, will be paid for the arrest of any ticket-of-leave holder absent without leave, or absconding from his district.

21. The holder of a ticket-of-leave is liable to be punished in a summary way for all crimes and misdemeanors not punishable with death, by transportation, or by hard labour, in or without irons, on any of the roads or public works of the colony, for any term not exceeding three years, or in case of a male offender, by whipping not exceeding fifty lashes; and such punishment by whipping may be awarded in addition to any sentence of hard labour.

22. Ticket-of-leave holders are also subject to be punished on summary conviction before any one or more Justices of the Peace, for the following crimes, &c.:—

Harbouring a convict illegally at large.
Punishment—Whipping not exceeding 100 lashes, or hard labour, with or without irons, not exceeding 12 calendar months.

If found on board ship without lawful authority—hard labour in irons, not exceeding 12 months.

Taking any convict on board ship, without legal authority—hard labour, in or without irons, for any term not exceeding two years, or whipping not exceeding 100 lashes.

14 Vict. No. 6. Sec. 29. Carrying fire-arms without a written permission from the Colonial Secretary, a Justice of the Peace, or the Comptroller-General—Imprisonment and hard labour, in or without irons, for a period not exceeding twelve calendar months.

23. Any ticket-of-leave holder found on board ship with intent to escape, is liable on conviction thereof before any Court of Quarter Sessions, to transportation not exceeding fourteen and not less than seven years.

24. Any ticket-of-leave holder sentenced to punishment by magisterial sentence for any of the above offences, will not have his ticket-of-leave restored to him, except at the pleasure of the

Governor. All sentences to irons, to the roads, to the treadmill, or to hard labour, are to be served in addition to the prisoner's original sentence. Thus, if a prisoner's original sentence is 14 years, and he receives a sentence of 6 months to irons, he will not be free until he has served 14 years and 6 months.

25. Every ticket-of-leave holder is subject to the provisions of the Masters' and Servants' Act in Western Australia ; and under this Act, a ticket-of-leave holder can compel his master or employer to perform his part of the contract in all respects as efficiently as if the ticket-of-leave holder were a free man.

26. Every ticket-of-leave holder, by Act of Parliament, is allowed to acquire and hold personal property, and a leasehold and interest in land, and to maintain an action or suit for the recovery of any personal property, or for any debt due to him, or for any damage or injury sustained by him ; but if he should at any time forfeit his ticket-of-leave from misconduct, the property acquired by him will become absolutely vested in Her Majesty, and will be disposed of at the discretion of the Governor of the colony.

27. No engagement can be made by a ticket-of-leave man for less than one year, until he has paid the regulated amount of passage money, except by permission of the Governor, and cannot be broken or altered by the ticket-of-leave holder, but an employer may terminate an engagement, and return the ticket-of-leave holder to the service of Government, by forwarding him under charge, to the nearest hiring depôt or police station ; the employer sending in a written report to the Comptroller-General as to the cause of his having thus concluded the engagement, and specifying what the conduct of the ticket-of-leave man has been up to the time of his discharge. Under such terminated engagement the ticket-of-leave holder will be deemed to be entitled to wages up to the period of his being returned to the Government.

28. Should the ticket-of-leave holder be sentenced by a Magistrate to imprisonment, he will be returned to his service to complete the term of engagement after the expiration of the sentence, unless the employer states to the Magistrate, or notifies to the Comptroller-General, that he does not desire to receive him back again, and at the same time forwards any balance of wages that may be due to the ticket-of-leave man at the period of his leaving.

29. A summary power will be exercised by the Governor of terminating any engagement, if his Excellency shall be of opinion that such a measure is called for.

30. The ticket-of-leave holder having any complaint to make against his employer, will be at liberty to prefer such complaint before the Police or Assistant Police Magistrate of the district, for which purpose the employer shall, on application to that effect, furnish the ticket-of-leave man with a pass. The ticket-of-leave man must, however, bear in mind that he will be liable to punishment if his complaint be either frivolous or groundless.

31. All ticket-of-leave men are required to pay to the Government a certain amount of money as the condition of their enjoying the privileges of a ticket-of-leave, and ultimately a conditional pardon. These payments are apportioned to the length of their sentences, in order that each man may have the means of liquidating the debt charged against him, by the time when (if he has conducted himself well) he is considered eligible for a conditional pardon.

32. The amount which each ticket-of-leave man has to pay is—

		£	s.	d.			
7 Years' Men	- -	7	10	0	Payable in	1½	Years.
10	ditto - - -	10	0	0	„	2	„
15	ditto - -	15	0	0	„	3	„
20	ditto - -	20	0	0	„	4	„
Life	- - -	25	0	0	„	5	„

33. For the payment of this sum every employer of a ticket-of-leave holder is required to pay to the Comptroller-General of Convicts, a sum of not less than 5*l.* per annum out of the amount of wages for which the holder of the ticket-of-leave has engaged, and not more than 5*l.* per annum, unless at the desire of the ticket-of-leave man. These payments may be made either directly to the Comptroller-General, or through the Resident Magistrate ; but such payments must be notified to the Comptroller-General, who will forward two receipts, one for the employer and the other for the ticket-of-leave holder.

34. All payments are to be made half-yearly—to commence from the quarter-day immediately succeeding the date of each ticket-of-leave. Any ticket-of-leave holder who shall have paid the regulated amount six weeks and a half before the expiration of the half year, will be entitled to a reduction of 2*s.* in the pound, which will amount to 10*s.* in the year, so that a man having to pay 2*l.* 10*s.* each half year, will only be required to pay 2*l.* 5*s.*, if the same is paid six weeks and a half before the end of each half year—the next half year must, however, be reckoned from the date of such payment.

35. Ticket-of-leave men who are unable to meet with private employment on these terms, will be found work by the Government, and will be allowed credit for the value of their labours at a fair rate of wages. The ticket-of-leave holder will be paid a portion of his earnings in money. A contribution to the Government at the rate of 5*l.* per annum will be charged against him, in like manner as if he were serving a private master—beyond this sum he will, within the amount of his earnings, be allowed such supplies as he may choose to draw for, the cost of these supplies being charged against him, and any further balance of his earnings being credited to him in reduction of his debt to the Government.

36. No person is allowed to employ a ticket-of-leave man without notifying the same to the Comptroller-General, through the Resident Magistrate, together with the rate of wages at which

he has been engaged; and the amount of 5*l.* per annum out of such wages, if not paid by such employer to the Comptroller-General or Resident Magistrate, will be recoverable in like manner as any other debt.

37. Every ticket-of-leave holder who is allowed to work on his own account will be required to pay the regulated amount to the Comptroller-General. As soon as a ticket-of-leave man has paid the regulated amount of passage money, he will be no longer required to make engagements for 12 months, but may make engagements for any periods he may choose within the limits of his district.

38. No ticket-of-leave holder will (except under special circumstances) be allowed a conditional pardon, until he has served without offence upon ticket-of-leave for the following periods—

7 years men	-	1½ years.
10 „	-	2 „
15 „	-	3 „
20 „	-	4 „
Life	-	5 „

nor will receive a conditional pardon until the whole sum required for his passage has been paid; but if he has paid the proportion of the regulated sum he may apply for a conditional pardon one year before he is eligible for it, through the Comptroller-General, provided his application be accompanied by a character from his master or employer, for honesty and sobriety, countersigned by a magistrate; he will then be recommended to the Secretary of State for a conditional pardon, so that it may arrive about the period of the expiration of his time. If he shall commit any serious offence after being recommended for a conditional pardon, he will forfeit that pardon for such period as his Excellency the Governor may see fit.

39. The wives and families of well conducted ticket-of-leave men will be sent out to them when half the cost of doing so has been paid by themselves, their friends, or their parishes in the United Kingdom. The other half will be paid by Government. The amount paid by the men for their own passages will be taken as payment for their wives and families.

40. The amount required to be paid will be 7*l.* 10*s.* for each adult over 14 years, and 3*l.* 15*s.* for each child. This money must be paid down before they can be sent out to the colony.

By His Excellency's command,

E. Y. W. Henderson,
Comptroller-General.

REGULATIONS FOR TICKET-OF-LEAVE MEN IN DEPOT, AND EMPLOYED ON PUBLIC WORKS.

1. Ticket-of-leave men employed on public works will receive a fair rate of wages for the quantity of work performed.

2. In ordinary cases the wages for each man will be, for the present, the current rate of wages, viz., 12*l.* per annum and rations.

3. Wherever practicable, the men will be employed on job work, whereby, through extra exertion, they may earn extra wages.

4. Each man will be entitled to receive a weekly payment in cash, not exceeding 3*s.* per week, out of his earnings.

5. Each man must be provided with a decent suit of clothes, and a good pair of shoes or boots, and a hat or cap.

6. The men will be paraded every Sunday morning for Divine Service, and must appear decently dressed.

7. Any man not provided with a decent suit of clothes will not be allowed any cash or extras, until he be so provided.

8. Each man will be subject to a deduction from his earnings, on account of passage money, to the amount of 5*l.* per annum, until the whole of his passage money be paid, after which, should he remain upon Government works, he will be entitled to the whole of his wages, the balance of which, after deducting for such supplies as he may have drawn, and for such sums as he may have received in weekly payments in cash, will be paid to him on leaving the Government works.

9. Arrangements will be made for enabling the men to purchase such necessaries as they may require, but no man will be allowed to run into debt.

10. Any ticket-of-leave holder returned by his master for misconduct will, after undergoing such punishment as may be awarded, be required to work for his rations only.

11. Ticket-of-leave holders guilty of drunkenness or other disorderly conduct, in addition to such punishment as may be awarded, will not be allowed to receive any cash or orders, except for absolute necessaries.

12. The practice of selling either clothing, soap, or tobacco, purchased out of their earnings, is hereafter strictly forbidden, and any man found guilty of so doing will be liable to forfeiture of his ticket-of-leave.

13. No ticket-of-leave man is, on any account, to be absent from the works, or after roll-call at night, without permission from the officer in charge.

14. No ticket-of-leave man is allowed to make an engagement for a less period than 12 months, and must be settled with up to the time of his leaving the station, as no accounts will be kept open.

15. As soon as a ticket-of-leave holder has paid the regulated sum on account of his passage, he will not any longer be obliged to make engagements by the year, but will be at liberty to make

engagements for any periods he may choose, within the limits of his district, and be allowed to take service in the towns of Perth and Fremantle.

16. Ticket-of-leave men on public works are equally subject to the General Regulations for ticket-of-leave holders, so far as they do not interfere with these special rules.

By His Excellency's command,

E. Y. W. Henderson,
Comptroller General.

DISPOSAL OF CONVICTS WITH TICKETS-OF-LEAVE.

Copy of a Despatch from Governor Fitzgerald to Earl Grey.

Government House, Perth,
My Lord, August 22, 1851.

I have the honour to submit to your Lordship an application from thirty convicts, who are desirous to have their wives and families forwarded to this colony, together with the accompanying letter received from the Comptroller General.

2. Two of these men are already on ticket-of-leave, and are regularly making the payments required to defray the cost of the passage of their wives and families to this colony, as are also the men whose application for a similar purpose I forwarded with my Despatch to your Lordship, No. 76, dated the 12th of September 1850; with reference to these parties there can be, I presume, little difficulty found to prohibit their being granted the indulgence they seek for, as from the punctuality with which they are making the necessary payments, nearly the whole of the amount required will have been received by the Comptroller General long before their wives and families can have reached them.

3. I conceive, however, the case is not quite so clear with reference to the remaining twenty-nine men who are still within the walls of the prison, and most of whom will not be entitled to tickets-of-leave before the year 1852; but as I have already, in my former Despatch above alluded to, recommended that a similar boon to the one asked for should be granted to parties not then entitled to tickets-of-leave, I see no reason, from past experience, to decline doing so in the present instance; and I am the more induced to recommend that the present application may be favourably considered, looking at the great anxiety which I understand is manifested by these prisoners to gain a similar indulgence, and the good conduct which has marked them up to the present since their imprisonment; and still further taking into consideration the moral advantages that must result from their being joined by their wives and families as soon as possible after their liberation on ticket-of-leave, more especially in a colony where the disparity of the sexes is at present lamentably great.

4. The concession of this boon cannot fail to act as a powerful inducement to other inmates of the prison to pursue a course of conduct that will entitle them to the same indulgence at the proper season. I would, however, my Lord, submit, that great care ought to be observed that none of these women should arrive in the colony before the date at which their husbands will be entitled to receive their tickets-of-leave.

I have, &c.

(Signed) CHARLES FITZGERALD.

The Right Hon. Earl Grey.

Enclosure.

Comptroller-General's Office,

SIR, Fremantle, August 19, 1851.

I HAVE the honour to forward applications from convicts who are desirous that their wives and families should be sent out to this colony.

All of these men are willing to undertake the payment of the required "half of passage-money," provided the same is not defrayed from other sources, as stated in the applications.

The payment of the sum required on account of passage by each ticket-of-leave holder having been made in the first instance compulsory, and not optional, has, I think, obviated in a great measure the difficulty of obtaining the payment.

The system is generally understood, and, from the manner in which payments have been already made, I do not anticipate much difficulty in carrying out the instructions of the Secretary of State on this subject; and I think that the sums required for the passage of their wives and children may be confidently relied on.

This subject is of great importance, I consider, in the present state of the colony, and as the arrival of even a few of those families would have a great effect, I should hope that it may be possible, at all events, to send out the families of those men who have already received tickets-of-leave, and made payments on this account.

The following men whose applications for their wives and families were forwarded in my letter of the 9th September 1850, and who have held their tickets-of-leave six months, have already made the required payment on that account, viz :—

	£	s.	d.		
James Baker - - -	2	10	0	-	16th Oct. 1850.
Joseph Browne - - -	2	10	0	-	29th Dec. 1850.
James Morris -	2	10	0	-	2d Nov. 1850.
John Rampling -	2	10	0	-	3d Jan. 1851.
Samuel Brakes has paid -	5	0	0	-	18th June 1851.

The others are also making payments; and with regard to the applications of men now in prison under confinement, I have attached in each case the date at which the man will receive his ticket-of-leave, so that arrangements may be made for forwarding them after that period.

I have, &c.

(Signed) E. Y. W. HENDERSON,

The Hon. the Colonial Secretary. Comptroller-General.

Extract from a Despatch from the Lieut.-Governor of Van Diemen's Land, dated 14th July 1851.

I forward herewith some returns, relative to the number of convicts who have arrived in the colony, the number hired, &c., which will prove that the demand for labour is far too urgent to allow the inhabitants of this colony to combine to resist a system by which only is their prosperity ensured.

If this be the case under ordinary circumstances, what must be expected when the discovery of gold in New South Wales is drawing a large portion of the available labour from the adjoining colonies?

The news of this discovery only reached me a short time since, and it has already created much excitement among all classes of the population. I cannot of course attempt to guess even at the amount of evil which this discovery will bring in its train; that it will be fraught with injury to the pastoral interests of New South Wales can hardly be doubted, or that it will injure the character of a population already by no means remarkable for the virtues of industry or self-denial.

Here, however, owing to the presence of the convicts, we shall be able to participate in the advantages which a rise in the price of produce will hold out to the agriculturist, without suffering in a corresponding degree by the rise in the price of labour.

I have never attempted to conceal from your Lordship that a large numerical proportion of the inhabitants of this colony are opposed to the continuance of transportation. It stands to reason that the whole of the working class must be adverse to an arrangement, the tendency of which is to keep down the price of labour. They oppose transportation on this ground, and they would, I believe, be equally averse to any scheme of immigration by which similar effects would be produced. This feeling was openly avowed at a public meeting in Sydney.

If, then, the question were to be decided by numbers, it is evident that the opponents of transportation would have a large majority on their side.

I may, however, go further than this.

I have always told your Lordship that among the employers of labour there are very many who are opposed to the continuation of transportation, some from an erroneous and exaggerated idea of the injurious effects which they conceive it to have produced upon the morals of the community, others from an opinion hastily taken up that it has not been conducive to the material prosperity of the colony.

The number of those who have lately declared themselves the advocates for the immediate cessation of transportation has been very much increased, partly because a pledge has been very generally exacted from the candidates for seats in the new council that they would oppose transportation, and partly from a feeling on the part of those who were indifferent, and of some of those

who were in favour of its continuance, that as I was known to be opposed to the views of the Anti-transportationists, and as your Lordship had expressed the intention of Government to maintain the present arrangements, they might, with safety to their own interests and those of the colony, attempt to secure a little popularity by joining in the cry against transportation.

The case, then, stands thus,—The labouring class is, of course, opposed to the continuance of transportation. An active body among the professional men,—the clergy, the merchants, the landowners (more, however, among the former than the latter) are also opposed to it; and these have enlisted in their ranks many of those who are indifferent or careless, or who are willing to yield to the prejudices and fancies of the majority.

On the other hand, there are several among the merchants, the shopkeepers, and the owners of property, who, seeing clearly the ruin which must ensue, should the rate of wages in this colony be assimilated to that in New South Wales, are strongly opposed to the cessation of transportation, until some other efficient means of supplying the necessary amount of labour can be devised.

I sent to your Lordship in my Despatch No. 52, dated 27th March 1851, the names of several of these men, and there are very many more who, residing quietly on their properties at a distance from the bustle and excitement of the towns, have neither the opportunity nor the inclination to maintain their opinions publicly.

The active party opposed to transportation have attempted the formation of an Australasian League, a copy of the conditions of which I forwarded to your Lordship in my Despatch No. 295, dated 27th September 1850; and I have no doubt that attempts will be made to enhance the importance of the League in the eyes of the Government and the people at home.

Here, however, very little regard is paid to it, and I confess that I attach but very little importance to the action of a body which seeks to obtain by efforts external to itself a result which might be much more safely and certainly carried out by some personal sacrifice on the part of the members.

I caused to be examined the register of the convict pass-holders who are hired from the Government depôts; and I find now in the employment of 128 persons, whose names have appeared in the public prints as subscribers to the League, no less than 183 male and 41 female pass-holder convicts. No return of the services of ticket-of-leave holders is kept.

Your Lordship will be able thus to judge whether much is likely to be effected by such a body. Time will be wasted in public meetings and resolutions; much paper expended in protests and correspondence; some little money, perhaps, collected for the payment of a set of itinerant agitators; but few, very few indeed, will submit to the sacrifice which the rejection of convict labour will entail on them.

It is hardly necessary for me to point out to your Lordship

that I can have no possible interest in advocating the maintenance or discontinuance of any given system, that I can have no possible object to gain in deceiving the Government by forwarding incorrect information; it must be evident that, were I even bound by no moral principle, my interest would lead me to be careful as to the accuracy of the facts which I might bring under your Lordship's notice, as elements upon which an opinion might be formed of the policy to be pursued towards this colony, especially when the whole of the correspondence is certain to be published, and brought under the notice of the community.

Enclosure.

RETURN of the Vessels which have arrived in Van Diemen's Land with Male and Female Convicts, since 2d October 1850, showing the number hired up to the 30th June 1851.

Ship.	Date of Arrival.	Number of Convicts.	Number detained on Probation.	Number eligible for Hire.	Number hired on board the Vessel.	Total Number hired to 30th June 1851.
		Males.				
Nile - -	Oct. 3, 1850 -	299	—	299	61	297
William Jardine, 2 A.	Nov. 14, 1850 -	260	12	248	The Men by this Vessel were not hired on board.	220
Rodney - -	Nov. 28, 1850 -	308	—	308	95	264
Hyderabad, 3 A. -	Dec. 13, 1850 -	287	155	132	The Men by this Vessel were not hired on board.	115
London, 2 A. -	March 19, 1851	285	—	285	91	178
Lady Kennaway, 2 A.	May 28, 1851 -	247	118 / 7 C. Pardon	122	The Men by this Vessel were not hired on board.	120
Cornwall - -	June 11, 1851 -	299	4	295	127	164
Total - - - -		1,985	296	1,689	374	1,358
		Females.				
Duke of Cornwall	Oct. 29, 1850 -	189	—	198	11	158
Emma Eugenia, 4 A.	March 7, 1851 -	170	8	162	88	149
Blackfriar - -	May 29, 1851 -	259	—	259	48	167
Total - - - -		627	8	619	147	474

(Signed) G. HAMPTON, Comptroller-General.

Convict Department, Van Diemen's Land,
11th July 1851.

Mr. Boyd, Superintendent of Convicts in Van Diemen's Land, reports to the Comptroller-General on the conduct and industry of the convicts, as follows :—

"The spirit and energy manifested by the prisoners in the prosecution of their labour, under the stimulus which is presented to them for that purpose, has tended to produce results which some few years ago would have appeared incredible. To secure in former times the effective labour of the convicts for even a limited period of the prescribed working hours, was generally found to be a matter of great difficulty, and had either to be exacted by the unremitting vigilance and continual urging of the overseers, or was produced by the dread of the lash. The amount of punishment entailed under such a system was fearfully large, and the hardening and degrading feelings which it implanted are now too painfully visible in the conduct and dispositions of prisoners who have been some length of time in the country. As a rule, the convict formerly regarded the overseer of his gang as a tyrannical agent; he exulted in every opportunity of evading the rigour of the toil imposed upon him for his crime, and the more successful he proved in practising such habitual deception and idleness, the greater was the degree of admiration and encouragement he gained from his fellow-prisoners. The baneful effects of such a state of things upon the newly arrived and uninitiated prisoners may be more easily imagined than described.

"Previously to the introduction of the task-work system, the frequent occurrence of assaults and insubordinate conduct was also lamentably conspicuous, and the records of almost every station bear melancholy evidence of this distressing fact. Under the present mode, however, of inflicting punishment labour, flogging is not only unknown, and other forms of correction rendered almost unnecessary, but the convicts actually solicit, as an indulgence, continuous toil during their hours of leisure, in order that they may the sooner emerge to a state of comparative freedom. In short, formerly no inducement existed to promote industrious habits, but under the task system a powerful incentive impels the convict from motives of self-interest to gain every hour which he possibly can, and thus he daily increases his amount of credit, and more rapidly approaches the termination of his imprisonment. It appears to me that the system of rewarding the prisoner for his industrial exertion and good conduct, by a reduction of gang-labour, is decidedly preferable to the practice of granting money for that purpose, inasmuch as there is but too great reason to apprehend that, under the most careful arrangements for issuing prison earnings to the convicts, a large number of them exercise so little self-control over their actions as not merely to misapply the money which comes thus suddenly into their possession, but many are degraded to the punishment-gangs for acts of misconduct induced thereby.

"The tobacco regulation continues to operate very satisfactorily,

and prevents the commission of much petty crime; the average number of prisoners who have relinquished a portion of their flour ration for the equivalent of tobacco has been 60, or 25¾ per cent. of the average number of individuals at the station, monthly.

"The system of public reading in the wards when the prisoners do not attend the school, and in wet weather, has continued to prove of the utmost advantage, from its not only forming the medium of disseminating a large amount of useful information, but secures that which may be regarded as of equal if not greater importance, viz., the complete suppression of idle and corrupt conversation."

Extracts from the "Western Australian Magazine," on the Past and Present Condition of the Colony.

A few months only have elapsed since it required more moral courage than most men possessed, to look 'fairly in the face' the state and condition of the colony; and if one did summon resolution to attempt it, the task was soon abandoned in disgust, and a conviction irresistibly forced on the mind, that its cure was desperate if not altogether hopeless. Recently, however, a great and happy change has burst upon us, dispelling the gloom which surrounded all our colonial affairs, and, by its present effects, affording reason for hope, that if advantage be duly taken of the means at our command, and right measures be pursued by our local government, the colony will rapidly advance unto a state of great and permanent prosperity. It may, therefore, not be unprofitable at this time, to take a hasty glance at the past and present condition of our colony, and the causes which have produced the change; and then to point out the grounds on which hope may reasonably be entertained that a bright future is before us.

Certain it is that the "Swan River Settlement," as it was called, was a total failure, and its very existence as a colony, notwithstanding the importance and advantage of its situation, in jeopardy before the first ten years of its existence had passed away. A dawn of better days then arose. The friends of the colony then in England warmly exerted themselves in its behalf, and many measures were initiated having for their object the rescue of the colony from its declining state.

It may not be amiss to state, there were a few in the colony who always had considered, after the failure of the different plans which had been tried to bring capital and labour into the colony, that no cure for the evils under which it groaned could be devised but the conversion of it into a penal settlement. It was justly argued by them, that it had been proved by the example of most of the colonies of the British Empire, that little progress could be made in the foundation of a newly settled country, without the advantage of a large government expenditure, and the execution of certain necessary works by the Imperial government, and that

the most brilliant success had attended those colonies which, by being receptacles of convicts, had possessed those advantages to the greatest extent, which had the effect of drawing to them settlers and population of all classes with abundant capital. If an example of the prosperity of a colony could be urged, such as South Australia, it was easily shown that it arose from fortuitous circumstances, which did not contravene the truth of the axiom generally. It was stated too that if such springs of vitality were requisite in colonies in general, they were a thousand times more wanted here, where the population was small, the capital remaining among them trifling, and the natural difficulties of the country more than ordinarily great. From the rarity of desirable tracts of country for first location, the distances between the different settled districts were consequently considerable, and it was beyond the power of the inhabitants to undertake, by their own means, the formation of roads and the construction of the necessary bridges in the extensive intervening tracts of unavailable land. Thus they were without the first requisites of a country—facility of communication with the capital and the ports. It was foreseen by those who argued in favour of the introduction of convicts, that without such means that fatal obstacle to prosperity could never be removed, and that if the present settlements in rural districts did continue a languishing existence, they could never increase or prosper.

The arguments of these parties were however unhappily of no use (though warmly pressed at the time the British government contemplated the formation of a penal settlement on the north-eastern coast of this continent, and would probably have gladly sent their criminals hither); the general feeling continued averse to the proposed measure, and we can only now lament its long maintenance, which, though arising from high and honourable feelings, delayed the revival of the colony till it was all but in a state of final dissolution.

At length the universal prostration of the colony and the distress to which all classes were reduced by the continued drains of population and capital, began to open the eyes of those who could before see no probable advantage from the proposed remedy, and alarmed themselves with its imaginary evils; and that change of feeling and opinion which argument could not produce, was brought about by individual and general pressure. The first consequence of the accession of pressure on all classes, was a desire to appeal to the home government for the adoption of remedial measures of various description—encouragement of exploration of new districts for pastoral and agricultural purposes—reduction of the price of land—regulations for granting on beneficial terms depasturing and agricultural licences—introduction of free labour—and numerous other objects were severally urged by all. And a necessary admission was made, that if these several objects could not be obtained, we must submit to the necessity and consent to, if we did not ask for, the formation of a convict establishment amongst us. It was at this epoch, and while the ferment in the

public mind was at the highest, that Governor Fitzgerald arrived. The most favourable impressions pre-existed of the energy of his character, of his ability in government, and of the powers with which Her Majesty's Secretary for the Colonies had invested him, to adopt remedial measures for the amelioration of the existing evils, and the advancement by every practical means of the colony entrusted to his government. Availing of such a favourable opportunity, some of the ablest men in the colony drew up the address (called from its length the Monster Address) which embodied all the grievances which existed, the wants of the settlers, and the remedial measures they proposed, and closing with a request that if the measures prayed for could not be granted, that this might be made a penal settlement. This address was presented by a numerous deputation of the most influential men of the colony. It was received with courtesy and the most marked attention, and his Excellency promised to forward it immediately to Earl Grey, and after he had had time to consider it in all its parts and bearings, to submit his views upon it to his lordship ; that these views were favourable to the wishes of the colonists subsequent events have amply proved.

From that moment confidence and hope seemed to be restored ; many persons who had previously determined to quit the colony resolved to await the result, and in the interim the prejudices against the admission of convicts gradually wore away, and were replaced by the conviction that nothing else could produce the remedial change required in our condition. Hence, before Earl Grey had time to reply to the address, meetings were held for the object of petitioning Her Majesty's Government for the formation of a penal establishment in the colony, and a very important address praying for this boon—as by this time it was deemed—was agreed to in Perth, and most respectably and numerously signed.

All these events occurred at a fortunate moment, when the British Government were embarrassed by the refusal of the Cape and other colonies to receive their convicts ; their effect was powerful, and Earl Grey speedily responded by sending out the first draft of convicts, which arrived in June of last year under Captain Henderson, an officer highly qualified and disposed to render them efficacious towards the general good of the colony.

The colonists by this time came to their senses, met everywhere to offer their thanks to Earl Grey for this prompt compliance with their wishes ; the largest meeting ever assembled at Perth agreed to similar resolutions, and the formation of a penal settlement amongst us being thus approved by the colonists at large, Her Majesty's Government have since, by the numbers they have already sent and the outlay they have sanctioned for their lodgment, given unequivocal proof that an extensive and permanent depôt of convicts is to be maintained in our colony ; while by sending out one cargo of emigrants under an implied and understood compact, a full expectation is justified that in proportion as convicts are sent to our shores, so free emigration will be directed

to them at the expense of the Imperial treasury. It ought here to be noticed also, that each convict ship has brought, as the guard over the prisoners, a proportionate number of pensioners, deserving men who have served their country well in the British army, have been granted good pensions, and will add to our population in themselves a useful body possessing a considerable annual income amongst them, with their wives and children.

Having brought this hasty review of past events down to the present time, let us here pause and contrast the condition of the colony at this moment with its state two years ago.

It is not the object of this paper to go at length into statistics, which form the subject of another article in our present number, but we can deal in generalities sufficiently to show the wonderful, the talismanic change which has taken place. In 1849 the revenue 10,353*l.* was insufficient, or barely sufficient, to bear the ordinary charges upon it—in the year ending 30th June last, the revenue had increased to 16,272*l.*, exclusive of a large sum to be received for guano. Town allotments in Perth and Fremantle, then in point of fact valueless, are now eagerly sought for at prices averaging four times their former nominal price. Every unsold allotment is applied for and bought at advanced prices, generally after great competition, and on all those allotments permanent stone and brick storehouses and dwelling houses are erected, or in course of erection, which constitute in themselves a future property of enormous value. Additional mercantile establishments are formed amongst us, and the pre-existing ones are rapidly extending themselves. Trading vessels are attached to our ports, and the tonnage of our colonial shipping greatly augmented. In fact, business of every description, before almost extinct, has revived and is active. Sawing and brickmaking, which were scarcely heard of, now occupy their scores and hundreds, the demand for building materials being greater than can be met. Every description of artizan finds employment at enhanced wages, and even every bullock-driver and common labourer in the colony can obtain more than reasonable remuneration for his services. Farms which two years ago were tenantless are now let, and every species of produce raised can be immediately sold for cash instead of on credit, at greatly advanced prices. Cattle and sheep have been quadrupled in value, and these important branches of the wealth of the colony, which had been neglected from the double cause of the impossibility of getting people to attend them, and the smallness of their value, are becoming objects of the most anxious and improving care. Garden produce, never before thought of, amply now repays the expense of culture, and land heretofore considered useless is rendered available.

But all these are the effects of the two mainsprings which have been supplied, capital by means of a government expenditure (perhaps of 60,000*l.* per annum already), and labour, by means of emigrants and pensioners introduced and ticket-of-leave men, who, comprising among them every class of persons, are gradually absorbed and become most valuable and useful members of our

population. Labour being thus abundant and attainable, and though still too high, very considerably less than heretofore, land owners and occupiers are enabled to extend their cultivation, and thus add to the permanent improvement of the country in enhancing their own interests. An abundance of money already indicates the accumulation of wealth, and enterprises hitherto considered impossible from want of means, are now attempted and carried out with success. Happily too with these improved circumstances a desire has sprung up for rational amusements, and the acquirement of useful knowledge is especially manifested in the establishment of Mechanics' Institutes and Lectures. We have omitted many more proofs of the altered phase of our horizon, but the most casual observer and the most professed grumbler cannot fail to allow that already—that is in little more than a year since the arrival of convicts amongst us—a state of prosperity exists which never, no not in those transient gleams of sunshine which gladdened our prospects for awhile, never before existed in Western Australia. And let us ask at what cost has it been procured? Have the ticket-of-leave men employed in and about our largest towns, or hired by our colonists all over the country, spread around them that halo of guilt and pollution which it has been the fashion to apprehend? Are they not on the contrary conducting themselves every where with propriety and respectability, equal to that exhibited by the best of the free emigrants at any time introduced amongst us? shunning crime, and appearing determined to lead new lives? thus affording a striking proof of the good wrought by that severe course of punishment, to which all of them have been subjected to an extent that, but for its beneficial effects, would be called horrible; and if we look to the prisoners in the establishment, has their conduct not equally merited praise? Have they not been orderly and well behaved? requiring but gentle means of control and superintendence, and working with steadiness and alacrity which may well put to shame many of those who were wont to raise an outcry against the introduction of convicts, and exhibiting in the aggregate this most gratifying result, that although we have now amongst us upwards of 800 prisoners and ticket-of-leave men, not one case of crime, strictly so called, has occurred amongst them.

And has not the advent of convicts to this colony introduced amongst us and added to the highest as well as middle classes of society, men of first rate talent, whose character contributes as much to the reputation of the colony, as their expenditure does to its general means of prosperity? While at the same time it has brought and is bringing to our shores a considerable number of pensioners, who constitute with their wives and families a valuable addition to our population and resources. To it, and to it alone too, must be added the advantage which we have had at present only to a small extent, but which is promised to a greater, namely the annual introduction of free emigration.

WESTERN AUSTRALIA.

RETURN, showing the ACCOMMODATION at the CONVICT ESTABLISHMENT, FREMANTLE, the VACANCIES on the 30th June 1851, and the NUMBER of PRISONERS of those now in the Depôt who will remain on the 31st December 1851, and 31st March to 30th June 1852.

Total accommodation -	550	
Number of prisoners on 30th June -	297	
Vacancies - - - -		253
Number of prisoners who will remain on 31st December 1851 - - -	207	
Vacancies - - -		343
Number of prisoners who will remain on 31st March 1852 - -	149	
Vacancies - - - -		401
Number of prisoners who will remain on 30th June 1852 - -	132	
Vacancies - - -		418

(Signed) E. Y. W. HENDERSON,
Comptroller-General.

EXTRACT from REPORT of CAPTAIN WILLIAMS, Inspector of PRISONS, on the TREATMENT of JUVENILE OFFENDERS.

The satisfactory treatment of children, when sentenced to imprisonment, is replete with difficulty, it being necessary for the sake of public example to carry out the ends of justice with a certain degree of penal rigour, and at the same time combine with it a course of moral training, which can only be inculcated through the agency of mildness, persuasion, and confidence. I am of opinion that, whenever the number of delinquent boys will admit of it, they should be kept wholly and entirely separate from the adults. So long as old and young remain together they must be treated alike ; and I know nothing more likely to confirm children in bad habits than to attach the same gravity and consequences to their unconfirmed errors as to the vices of those of maturer years. The boy charged with a felony is frequently thrust into a class with, perhaps, 15 or 20 adults, whose offences bear the same legal distinction as his own. His self-love is flattered in being treated the same as a man, and he is excited to a closer imitation by this his miserable elevation. I have never failed to observe in such cases a degree of boldness, effrontery, and assumption, which I have not met with in any prison where men and boys are separated.

A subsequent five years' experience has satisfied me how greatly I underrated the mischievous effects which result from

vitiating and corrupting public amusements. The passion for the theatre among the children of the humbler classes in large towns, is of itself the most common impulse to crime. In the greater number of cases, parents, compelled by straitened circumstances, send from home their children when scarcely beyond the confines of infancy, to eke out, by some employment, the subsistence of the family, leaving neither time nor opportunity for the cultivation and proper direction of their mental powers. Thrown thus early into active life they acquire, both by intercourse with their fellow labourers of more advanced years and from personal observation, a precocious and pernicious knowledge of the world. Inordinate desires spring up in their youthful minds, and in the absence of a moral sense to restrain them, they scruple not to resort to dishonest means for their gratification. The first act is generally the subtracting of pence from the shelves, drawers, and indeed the persons of their parents or relations, for the purpose of obtaining admission to some low theatre or amusement of which they have heard the most captivating description. This rubicon once passed, neither menaces nor blows are of avail. Late hours, loose associates, abandonment of home, robbery from the person and shops, utter vagabondism, follow in a quickness of succession quite lamentable.

It would be in vain to expect that such evils as juvenile delinquency in large towns, which owe their origin to a peculiar state of society, can be removed by ordinary means, or that any radical change can be effected in the habits of the labouring classes, but by an antecedent improvement of their physical condition. But still there are many palliatives, of which the judicious and timely administration may serve to allay the graver symptoms of this social disease; and to some of which I shall now cursorily refer.

1. One of the most important I consider to be the further encouragement and extension of infant-schools in large towns, in which the children of the working classes are preserved from the contamination of the streets, and withdrawn from that freedom from early restraint so common and so dangerous to those of their condition.

In many of these schools it is the practice for the children to return to their homes through the streets for dinner, the inconvenience of which might possibly be avoided by supplying them with this meal at a trifling charge or gratuitously. Such a regulation might also operate as an inducement to parents whose avocations or labour call them to a distance from their homes, to send their children to school for the day. It should be an instruction to the local police to take all young children found idling in the streets, and leave them for safety at the public or parish school, there to be placed in a class until owned by their parents; and all such not claimed by a certain hour might be transferred to the workhouse, and treated in a manner consonant to their situation. In the year 1840 the number of children in Manchester found wandering and restored to their parents by the police amounted

to 5,475. Parents neglecting to send their children to school, or to provide for their safety in their absence, in case of their being lost or found wandering in the streets, should be compelled to pay the expenses attending their recovery.

2. I need scarcely recur, after what has been said in the earlier pages of this Report, to the necessity of some means being adopted for increasing and purifying the relaxations and amusements of the labouring classes, and of making their pleasures conducive to their moral advantage instead of their corruption.

3. I likewise strongly recommend the institution of societies in all large towns for the visiting, improvement, and assistance of discharged prisoners. Local knowledge is often essential to the thorough investigation of cases, the prudent administration of succour, and the prevention of imposition. The simple manifestation of interest towards a fallen but not degraded fellow creature may be attended with the happiest effects, by rousing and encouraging the desponding mind to fresh exertions in life.

I am satisfied that much good would arise if more attention was everywhere paid to the circumstances of juvenile delinquents on their discharge from prison. When their friends can be ascertained, previous notice should be given to them of the hour of the prisoner's discharge, and a desire expressed that they should attend to receive them. In cases where they are friendless and destitute, instead of turning them outside the gaol without even the means of providing themselves with a meal, they might be placed in the workhouse for safety. It is not uncommon for children discharged from gaol in the morning to be returned thereto the next.

It is quite in vain to suppose that any discipline, however rigorous, any moral training, however effective, will, from their temporary application in prison, make such an impression upon children as to protect them from relapsing into crime when returned into their former atmosphere of want and temptation. In the great majority of instances, I do not hesitate to affirm that the only means by which the reformation of such can be rationally expected is by their thorough and permanent severance from those scenes and associations in which their evil habits were formed. Although suffering from hunger and misery, it must not be supposed that the lives led by these delinquent children are void of pleasurable sensations; the very alternation from one extreme to another keeps the mind in a state of feverish excitement; the want of a copper to buy food on one day is more than compensated by the reckless profusion of the next; and the despondency created by privation and long suffering is speedily supplanted by exultation on the success of some criminal feat of daring and dexterity.

I see no objection to the provision of some lodging-house or receptacle for the temporary accommodation of destitute boys, until occasions present themselves for their final disposal; but I incline to the opinion that a quiet, unostentatious method of providing for them abroad is far preferable to their being retained

in refuges and asylums for lengthened periods, with the view of their moral reformation. As long as they remain in this country something of the taint of crime must be expected to adhere to them; and the class of persons who ordinarily seek for apprentices and domestic servants from such sources are not those who always form the best guarantee for the steadiness of those entrusted to them. I am far from wishing to underrate the value of such asylums; but I am apprehensive that their extension on any very large scale might operate as a direct encouragement to crime, from the superior advantages and comforts which they would infallibly afford, compared with the condition of a large portion of the humbler classes.

In the selection of occupations for those whom rational benevolence would desire to befriend, I recommend they should be such as may give a fresh impulse and direction to the mind by their interest, novelty, and variety. Among the least exceptionable are apprenticeships in the commercial marine, on board of vessels bound to distant ports, settling in the colonies, and military service in the East India Company's European regiments. I have much satisfaction in reporting that the municipal authorities of Liverpool have given their zealous attention to this the most important feature of the whole subject; and with a liberality tempered by discretion have provided the necessary funds for clothing and apprenticing to captains of vessels, or otherwise disposing of a number of these children whose cases appear most to merit such interference.

Extracts from the Reports of Her Majesty's Inspectors of Schools.

The advantages of district schools are thus adverted to by Mr. Carleton Tufnell:—

"The cause of this, as I have observed, cannot but be gratifying; but it is plain that the arrangements made for larger schools and older children are not equally applicable to these changed circumstances. Here, again, I am led to the recommendation, which I have so frequently pressed before, that the alteration required, which would be a cure for this and every other evil that affects workhouse education, is the establishment of district schools, to include the children of the several Unions. Were the children removed from workhouses, and placed in establishments specially appropriated for them, the numbers collected would be sufficient for complete classification, and each division of children, whether juveniles or infants, would be large enough to warrant the engagement of teachers, and the introduction of appliances adapted to their respective conditions."

"The only real remedy for this state of things is that which the Poor Law Board and the school inspectors have so often inculcated, — the formation of district schools to include the children of the several unions. At present there are only five

such schools formed in England, though the large pauper schools maintained at Liverpool, Manchester, Leeds, and Lambeth may be considered to come under the same category, being free from adult paupers, and conducted on a scale adequate to ensure efficient results."

Further on he notices an important effect resulting from the training in a well-conducted school; and the same may be said of long continued prison discipline carefully administered. He observes,—

"Whatever may be the condition of the country as respects the demand for labour generally, whether in the scarcity of 1846 or the abundance of 1851, the children from a well-conducted pauper school, where their industry and morals are duly attended to, have no difficulty in obtaining employment. Establishments that have got a character, as some have, for turning out honest, intelligent, and hard-working servants, need not trouble themselves about finding situations for those they educate. Employers in abundance will voluntarily come forth, and it is not unfrequently considered as a favour to be allowed to take the next girl or boy that is fitted for service. On the other hand, whenever there is a difficulty of disposing of the pauper children, and strong and healthy boys and girls are found swelling the lists of workhouse inmates long after they are able to earn a livelihood, I believe the cause may invariably be traced to an inattention either to their morals or their industry. They are not honest, and they won't or can't work. Such establishments have got a character for turning out inefficient servants, and, consequently, no one applies for them.

"One of the best tests I know for deciding whether the instruction imparted to the pauper children has been efficient or otherwise is, by inquiring whether, among the adult paupers, there is any one who has been brought up in the school. A good education so infallibly dispauperises, and raises its recipient above the necessity of ever again applying for relief, that except under gross mismanagement of the guardians in other points, we may be tolerably certain that vicious habits, easily eradicable by sound early training, have brought the great majority of those who burthen the parochial rates to their state of dependence. Could this truth be more universally impressed on the managers of the poor the difficulties in the way of forming industrial schools would vanish!"

Upon the same subjects, Mr. J. Ruddock observes,—

"The Reports of my colleagues and of myself in previous years have amply detailed the existing deficiencies, and we have hoped that the gradual adoption of the system of district schools might ere this have begun to work a cure; a longer experience however has convinced that a permissive enactment only is adequate for the purpose: various reasons combine to render the guardians in agricultural unions averse to the proposal; jealousy of neighbouring unions—the fear of the expense of the first outlay—un-

willingness to remove so large an item of union expenditure as the children from the precincts of the union—and in some cases a morbid dread of what is termed over-education—operate singly or conjointly to prevent the general adoption of the proposal. If, as I doubt not, the scheme is the only radical remedy to juvenile pauperism, it will never become general until it is rendered compulsory. Such a measure on the part of the Legislature would be fitly accompanied by the offer of a contribution from the general taxation of a portion of the first outlay. Every argument which is used to induce the Local Boards to concur in the adoption of Central Pauper Schools, addresses itself with equal if not greater weight to the community at large; that for the most part these children are paupers by unavoidable misfortune, as far as themselves are concerned; that their good upbringing is a positive duty incumbent upon those who have the power and the means to direct it; that a certain pecuniary benefit would result from an efficient system of moral and industrial education; all these are reasons which should weigh with the State equally with the local administrations. Granted the premise that the effect of workhouse education, as at present managed, is inadequate and faulty, it is surely right for the State to interfere in a matter which affects the well-being of an annual average of 50,000 children."

Mr. T. B. Browne in his Report makes the following remarks:—

"The religious difficulty in union schools, notwithstanding the various denominations to which the children may happen to belong, is, for the most part, scarcely appreciable. The points at issue between the Church of England and the various Protestant Dissenters, at least, cannot be entertained by the mind without a certain degree of religious knowledge and mental development. There are many elementary truths which must be familiar before any one can be prepared to enter upon the baptismal controversy. But pauper children, even those who come into the workhouses at twelve years old and upwards, are often so ignorant that there is scarcely any religious truth, however simple, which they can be said really to know; and after they have been for years under any of the numerous teachers who are destitute of the power of development, their answers are usually mere guesses, wholly irrelevant, or so painfully absurd as to border upon the profane, although unintentionally. Neither is there any material difficulty with the more advanced classes. I have always made the religious education of the children my first object, and required them to read the Scriptures as part of my examination; but in questioning them on the subject-matter of their lesson, however fully they may be enabled in some instances to develope it, there is no necessity for referring specially to modern controversies."

As regards the education of the destitute classes, Mr. J. C. Symons observes,—

"I may be permitted here to remark that I have, during the

three years I have held my office, observed not merely amongst the most intelligent and educated of the Guardians, but generally among the clergy and gentry in most parts of my district, a growing conviction of the pressing importance of the education of this class of children, whose destitution, and in too many cases whose parentage and previous training give them a predominant claim on the care and tendance of the State.

"The fatally erring policy which would engraft these children on the parent stock and leave them as heirlooms to the rates, to swell the horde of pauperism rather than uplift them from it, seems to me to be losing its hold even on the prejudices of the ignorant, whilst it receives daily less toleration from those who are alive to the true interests of society. The more debased and helpless any portion of the population becomes, the more predominant over that of others is its claim on the offices of philanthropy. A class thus banished from the sympathies of ordinary benevolence, on that very account demands extraordinary care, and a treatment expressly adapted to the peculiar necessities of its conditions. It is difficult to value too highly the importance of education for the children of the working classes, except when we forget the still higher importance of applying it to paupers and criminals. The relative social value of educational efforts should, I conceive, be estimated in inverse ratio to the rank and condition of the class to be educated, and the opportunity and facilities of instruction within their reach. Such views at any rate I rejoice to state are, within the sphere of my own observation, gaining prevalence.

"Thus, to unpauperise these children, and to invest them with all the elements and powers of independent industry, seems to be the object at which we should aim in their treatment, and by which the real value of educational and other measures in their behalf should be estimated.

"To effect this, four chief means concur:—

"1. Religious and moral training.

"2. Disseverance from the pauper adjuncts.

"3. Industrial training.

"4. Useful elementary education.

"The remedy, it still appears to me, can be sought only in district schools, where these evils and drawbacks would be exchanged for advantages—whether as regards the status of the children, the work to be done, or the persons who are to do it—at least equally great. The children would be no longer the pauper inmates of workhouses, but the hard-working well-trained scholars of industrial schools,—their home, instead of inspiring pauperism and its characteristics, and tending to its recurrence, would be a nursery of habits of labour and faculties of livelihood; and instead of creating prepossessions in the minds of employers of lax morals and idle habits, would guarantee the opposite virtues. Nor can the signal advantage be too often stated that the child reared alone in the district school would, even apart from these advantages, struggle to maintain his independence just as

sturdily as the labourer who has never forfeited it; for the doors of the district school, unlike those of the workhouse, would with his boyhood be closed against his return, and no previous experience of the comparative comfort of the latter would lessen his natural repugnance to re-enter its walls. The amplest facilities for moral and industrial discipline would replace the workhouse impediments to it.

"Next therefore to religious and moral discipline, and the entire severance of the child from the stigma of pauperism and the adjuncts of a workhouse home, is the importance of thoroughly efficient industrial occupation."

As regards the profits of industrial farms, Mr. H. G. Bowyer observes,—

"The produce of the industrial farms which have been in operation for the last two years, will, I am confident, notwithstanding the disadvantage of low prices and an unfavourable season, justify the opinion of all who are conversant with the subject, that they are advantageous in a pecuniary as well as an educational point of view.

"But to adduce all the evidence of this which my district affords, would exceed the scope of an Educational Report. I shall, therefore, confine myself to a few statements received from the schools in which the industrial department of education is best conducted. These will be found in the Appendix. The first is a copy of two Reports addressed to the Board of the Stoke-upon-Trent Union, and signed by the boys who form the working class. This form of reporting appears to me deserving of imitation by other schools, both on account of its utility in bringing the names of the boys to the notice of the Guardians, and thus facilitating their obtaining employment, and on account of its tendency to raise in their own eyes the importance of their industrial labours. The gross produce on 2A. 1R. 23P. under cultivation in 1850, is 54*l.* 13*s.* 2½*d.*, and the balance in favour of the workhouse 35*l.* 13*s.* 1*d.* In the year 1851 the farm was increased to 6 acres, which yielded a gross produce of 82*l.* 14*s.* 4*d.*, or 13*l.* 15*s.* 8½*d.* per acre, but on account of extraordinary expenses, a balance of only 11*l.* 10*s.* 3*d.*

"The second is from the Spalding Union school. The statement for the year 1850 gives only the value of the crops grown upon 3½ acres cultivated by 18 boys, which amounts to the large sum of 83*l.* 13*s.* 4*d.*; and that of the shoemaking and tailoring, performed by 11 boys, amounting to 30*l.* 12*s.* The statement for the year 1851 is a Report of the Industrial Training Committee to the Board of Guardians.

"It will be perceived, that the estimated value of the boys' labour is entered on the expenditure side, and that a sum of 20*l.* advanced by the Board of Guardians, appears among the receipts; the object of the committee in the former of these entries, has, probably, been to show the profits which may be obtained from a small piece of land cultivated by the spade on the ordinary

terms of farming operations. In this point of view the account has an important bearing on the question of industrial schools unconnected with the Poor Law, in which it will be found necessary to pay for the labour of the children; but, in order to exhibit the real value of the school-farm to the union, this item must be transferred to the receipt side, as the children, if not thus employed in reproductive labour, must be maintained in idleness. The union stands towards them in the relation of parent; their labour is, consequently, as much a part of its profits as the earnings of a tradesman's or labourer's children are a part of his income. The sum of 20*l.* being borrowed capital, should, I venture to think, appear only through its interest, on the expenditure side. I am, however, informed, that it has been repaid to the union. Striking this sum out of the account, and transferring the labour items from the expenditure to the receipt side, the statement exhibits 158*l.* 16*s.* 6½*d.* for receipts and value of stock in hand, and 117*l.* 8*s.* 8*d.* for expenditure and value of stock in hand at the commencement of the year, and, consequently, a clear profit of 41*l.* 7*s.* 10½*d.*

"The third is from the Holbeach Union school. It exhibits for the year 1850 a total profit on 3 acres of land, cows and pigs, of 26*l.* 18*s.* 10*d.*; and for the year 1851, the very considerable profit of 65*l.* 1*s.* 7*d.*"

With respect to district schools, he says:—

"Viewing the extent to which the principle of industrial training has been adopted in connexion with the workhouse by Boards of Guardians, a doubt may be reasonably entertained whether, with reference to the possibility of the establishment of district schools, it were desirable that their efforts and resources should have been directed into an opposite channel, and whether by thus directing them we may not have raised an additional obstacle in the way of the adoption of that organization which we deem the most desirable. This doubt often presented itself to my mind when recommending any improvement connected with the present system. Its solution would depend upon the probability of the realization, within a reasonable period, of the wise and benevolent intentions which actuated the legislature in passing the Acts relating to district schools for pauper children. If, on surveying the provisions of the Acts and the dispositions of the Boards of Guardians, this probability should appear to be considerable, it would be undoubtedly inexpedient to advise any improvement in workhouse education which would tend to diminish it. If, on the contrary, it should appear to be small even under the most favourable local circumstances, and non-existent under ordinary conditions, our duty towards a helpless class now growing up under the guardianship of the country, as well as towards the rest of society, to whom their subsequent lives may (according as their childhood has been tended or neglected) be beneficial or baneful, imperatively requires that the performance of a present obligation towards them

should not be postponed to the bare possibility of one day performing a greater, nor their welfare, though imperfectly attained, sacrificed to that of generations yet unborn."

"The causes of failure in these instances have been the satisfactory state of some workhouse school which it was proposed to include in the combination; some peculiar cause which mitigated in it the evils of workhouse education; conflicting interests, real or imaginary; the sort of *esprit de corps* which renders the inhabitants of one Union particularly disinclined to enter into an agreement with those of neighbouring Unions; but, above all, a rooted distrust of any plan involving an immediate outlay. Some of these causes are inherent in the constitution and essential to the utility of Boards of Guardians. The main objects for which those bodies were instituted are, to administer parochial relief, and to watch the interests of the ratepayers. A careful and vigilant discharge of these functions is their principal merit; to educate the children whose destitution they relieve is only an incident in the performance of their duties. Accordingly the principles and opinions of a candidate for election as guardian on the subject of education probably never enter the minds of the electors among the reasons for deciding their choice. And if most Boards contain some numbers to whom the school is an object of active interest, they generally belong to the clergy, the gentry, and the professional classes. It is not therefore to be expected, nor perhaps to be desired, that they should be favourably disposed towards measures of which the expense is obvious and immediate, but the benefits are prospective, and discernible only to a higher and extended view than is consistent with their constitution and functions.

"For these reasons I am of opinion that the 7th and 8th Vict. cap. 101, and the 11th & 12th Vict. cap. 82, under which the erection of a district school is practically dependent upon the written consent of a majority of the guardians, will, except under favourable circumstances of rare occurrence, remain inoperative. And if this should be the case only for a few years, I fear that the difficulty of obtaining the requisite assent will be considerably increased, as the capital which the Unions will have expended in the improvement of schoolrooms and of teachers' apartments, in new dormitories, and other things connected with the children, will still further rivet the school to the workhouse. As instances of this I will only cite the St. Faith's workhouse Union, in which new apartments have been built for the teachers; the almost new workhouse of the Leicester Union; and the entirely new ones of the Aylsham and Erpingham Unions, and of the parish of Birmingham; in all of which ample provision has been made for the accommodation and education of the children. I venture therefore respectfully to submit to your Lordships the expediency of adopting, before these obstacles shall have further increased, such measures as the experience of the working of those Acts has shown to be requisite in order to render them generally effectual. The most essential of these measures appears to be, to render the

formation of a school district practically independent of the consent of the Guardians. I have been repeatedly assured by Guardians friendly to district schools that, unless a compulsory power be lodged in Her Majesty's Government, it would be useless to attempt it; but that with such a power little opposition would be experienced, and that its exercise would rarely be called for. The existing Parochial Unions, which cover nearly the entire surface of the country, afford conclusive evidence in support of this opinion, as they were formed by means of a compulsory power, in the face of an opposition a thousand times more vigorous than that which has rendered the Acts relating to district schools almost inoperative. It would, however, greatly tend to facilitate the objects which your Lordships have in view, if the grants in aid of the erection of school buildings under your Lordships' minutes were extended to district schools."

On the question of expense and industrial training, Mr. J. C. Symons, speaking of the arrangements at Quatt, remarks,—

"It is obvious, from these interesting accounts, that a profit is obtainable from land worked by the boys; and that about five boys per acre suffice for the purpose, if aided by a skilled superintendent. Now profit is by no means a primary consideration. The Visiting Committee of the Quatt School very sensibly observe, in a recent Report,—

"Their object has always been, not profit, but a good education for the children; not gain from their labour, but a more effectual means of depauperizing and training them up to earn their own livelihood by their own exertions; and they have reason to be satisfied with the result. The school at Quatt has imparted a healthy tone to the children, which, while it teaches them how to labour, inspires that energy and self-reliance which, together with a sound religious education and good moral training, are the best means of averting crime and diminishing pauperism."

"At the same time it is of great importance to disarm the very natural fear of expense which often deters Guardians from adopting new measures of whatever kind. Even in Unions where the sterility of soil, and the mistake of cultivating grain-crops, as at Stroud, reduces the produce almost to 9*l.* per acre, it is still a clear money profit. Nor can it well be otherwise, for the labour *costs nothing*, and is employed instead of being unemployed. This is the secret of the necessary success of these experiments, even as a means of pecuniary profit."

"It will be seen from this short summary of the progress and character of the different union schools in my district, that on the whole they present many pleasing instances of improvement, notwithstanding the untoward circumstances under which all schools in workhouses must ever labour. It is at least a source of satisfaction to me to know how largely I have succeeded in introducing industrial labour where none existed before. I believe I may safely say, that in no single instance has this step been repented of by the Boards who have adopted it. Much of the mental instruction has been likewise improved; and this has

taken place almost in every union where the industrial training has been adopted.—So surely does the improvement of mental and bodily faculties advance, *pari passu*, where both are cultivated.

"The land dug by the boys is yielding everywhere a fair produce, and under the worst circumstances entails no loss. I append returns obligingly sent to me of the produce and expenses of several of these little school farms. In many cases considerable profit arises from such experiments.

"We do not manage, any more than we professed, to turn out skilled labourers, or realize enormous gains; but we are succeeding admirably in making handy work-children, fit and able to work well and cleverly, and this out of a body of children who were previously wallowing in idleness; and though we do not very sensibly diminish the poor rates, we show a fair produce of actual profit, with a good earnest that we are in all probability avoiding future burdens, by the permanent metamorphosis of lazy little paupers into industrious labourers.

"According to every principle of sound social economy, it is evident that for no class are more efficient schools required than for the criminal and outcast classes. The more inveterate the disease, the more skilful the physician, and the more potent must be the medecine, if we really wish to cure the patient and uproot the malady. That the schools out of workhouses are often very inferior to those within them is a fact merely indicative of the low standard and defective education for the people which still survive the zealous efforts made to improve it. A few years further experience and inspection, with the increased and increasing light thrown on the subject by science and common sense, will probably, under God's blessing, have largely advanced the character and efficiency of the schools for the independent poor; but I see no chance of commensurate improvement in workhouse schools for pauper children.

"The fatal fact that to domiciliate a child in a workhouse is to give it a practical lesson all day long that a workhouse is its home, and dependence its natural life and livelihood,—can never be effectually overcome, until pauper children are placed in district schools, where they cease to be called paupers, and where they really (and not nominally) work for and earn their own living. We must unpauperize them as children (at any rate by dissevering them from all the associations and contingents of pauperism,) before we can hope to make them shun pauperism as adults.

"The natural operation (sure though generally slow) of reason upon English opinion is developing itself on the subject of district schools. There is a much more general disposition in their favour than when the subject was first introduced to public notice in this district. I think, nevertheless, it is essential that another Act of Parliament should be passed for rendering the measure compulsory, with a few modifications and additional provisions; especially as the Guardians themselves often express a wish for it.

"I sincerely trust that the entire system of managing and educating pauper children, with a view to their improved religious and industrial schooling, will shortly engage the earnest attention of Parliament."

PREFACE to M. DUCPÉTIAUX'S REPORT to M. TESCH, Minister of Justice in Belgium, on the various Reform Schools, &c. in France, England, Germany, Belgium ; with description of the Rauhen-Haus, Ruysselede, &c.

By your honourable predecessor, M. de Haussy, I was appointed to superintend the organization of the Schools of Reform, sanctioned by the law of the 3d April 1848, and, also, to visit the principal agricultural establishments abroad, intended for the relief of misery, the suppression of beggary, and for the industrial training of mendicant, vagrant, and criminal juveniles, of orphans and destitute children.

The former duty I have partly discharged, with the concurrence of the Committee and the distinguished functionary to whom Government has intrusted the management and superintendence of the Reform Schools erected in the commune of Ruysselede (West Flanders). I have annexed such information as will show you the progress and actual condition of the Reform School for boys. With regard to that for girls it is not yet decided on, and its erection is contingent on certain conditions, which are now before you.

The latter duty was in a manner the complement only of the former. Before determining on the discipline, &c. of the agricultural establishment in Belgium, it was of the greatest importance to learn what experiments had been made in other countries, and to consult the benevolent and devoted men who had preceded us in the work we have now entered on. In a former paper, presented to the Minister of Justice, shortly after the promulgation of the law relating to reform schools, I discussed and laid down the principles on which in my opinion these establishments should be based. The present Report contains the most interesting information I have been able to collect in hasty visits to France, Germany, Switzerland, and the Low Countries, and gives a practical character to my former contributions.

This Report is divided into six sections, in which are reviewed in succession the principal agricultural colonies and schools. I have thought it would be useful to annex a few plans to show the architectural arrangements of different establishments. These plans have reference to Mettray, to the Dutch colonies of Overyssel and Drenthe, to the rural colony of Neuhof, near Strasbourg, to the Reform School, the Rauhen-Haus, near Hamburgh, to the rural district schools for poor children projected in England, and to the Reform School for boys at Ruysselede.

In my visits to some of the establishments of France, the Low

Countries, and Germany, I was accompanied by the director of Ruysselede, M. Poll, who had received a similar appointment to mine. The reports, as regards these establishments, may therefore be regarded as the expression and result of our common investigation.

You will observe, in the first place, that the application of the principle of colonization and agricultural labour has been extended in different countries and under various conditions, to the honest, vicious, and guilty poor, men, women, and children, able-bodied, and invalid. The establishments based on this principle may be divided into four principal classes.

1. Colonies for repression of crime for adult beggars and vagrants.—These establishments are few in number; many have failed or been closed after trials more or less protracted.

2. Agricultural penitentiaries, penitentiary colonies.—These establishments, intended exclusively for children and young people condemned or acquitted as having acted *sans discernement*, but detained to be brought up to a certain age, are somewhat numerous, and are on the increase in many countries. The prison at Parkhurst and the colony at Reigate, in England: in France, the farm colonies attached to central houses (Guillon, Fontevrault, Loos, &c.), the colonies of Mettray, Petit-Bourg, Ostwald, &c.; and the Reform School at Bächtelan, in the Canton of Berne, more especially belong to this class.

3. Reform schools, asylums, agricultural colonies for indigent, mendicant, and vagrant juveniles, orphans, foundlings, and deserted children, vicious, and morally-endangered children (moral orphans).

The number of these establishments is considerable and increase yearly. Germany, Switzerland, the Low Countries, France, England, in some degree, and recently also, Belgium, contain models affording and deserving of observation and study.

4. Free colonies, farm asylums.—These establishments, especially intended for adult poor, exist, as far as I am aware, only in the Low Countries and Belgium. In the former country, they form one of the principal elements of the system of interior colonization devised by General Van de Bosch, and worked out by the "*Société de Bienfaisance;*" in the latter, they have been the object of two experiments, one at Wortel, which has entirely failed, the other in Flanders, where the farm-refuges intended for old men, the feeble and orphans, are being fully developed and are in a prosperous condition.

It is both useful and interesting to search for and weigh the causes of success and failure of these various kinds of establishments, to make known their condition and organization, to note their advantages, defects, and results. Such has been my object. To attain it I have most frequently resorted to personal observation, and have fortified my opinions, in all cases, with the authority and testimony of the most able men, and especially of the heads and founders of those institutions of which I had to form a judgment.

From the information I have collected with reference to the principal agricultural establishments for repression of crime, for correction, and for benevolent objects, practical conclusions may be deduced, which cannot fail to engage your attention.

1. The agricultural colonies owe their origin to the endeavours made, especially since the commencement of the present century, to relieve misery, to check the progress of pauperism, and for the moral improvement of the poor. They tend to rid the towns of their superabundant population, and to check the removal of the rural population; they stimulate activity and labour, by diminishing industrial competition, and by increasing the production of food; they pave the way for the reclamation of land at home, and for the colonization of unoccupied lands in foreign countries. In the last point of view, they may be regarded as one of the most effectual preventives of the abnormal increase of population.

I have already spoken of the varied and numerous advantages of the agricultural colonies. It remains for me to show some of the chief advantages of the principle on which they are based, and the ways in which the principle may be usefully applied.

2. When the good effects of agricultural labour in the establishments for the juvenile poor, and for vicious or criminal children are considered, we are justly astonished at the privileges which these children enjoy, while the great majority of the children of the working classes, artizans, and labourers, who have never violated the law, receive but a very imperfect training, and, generally, with but little reference to their actual wants and future interests.

The example of the colonies and reform schools proves that nothing is easier than to combine education and apprenticeship with school instruction, properly so called; why, then, should not this combination be extended to primary schools in general?

The school at Ruysselede will serve as a model, which it is only necessary to adhere to implicitly, and to draw from the fruitful principle existing in the law all the advantages which naturally flow from it. I have given such information as shows the progress up to the present time, and what grounds there are of future hope with regard to a reform in which Belgium has nobly taken the initiative.

In conclusion, I cannot refrain from expressing a wish to see private individuals, societies, and charitable people follow the example set them by the Government in the establishment of reform schools. There now exists a model which may be anywhere imitated on a larger or smaller scale, wherever there are a few devoted men. Government cannot do everything—it has begun—let others do their part, For myself, I should be happy, if the publication of my labours should contribute to shed light upon the path, resolve difficulties, dispel doubts, and furnish the elements necessary for pursuing and completing a work for the regeneration and salvation of the indigent class.

(Signed) Ed. Ducpétiaux.

The Rauhen-Haus Reform School, at Horn, near Hamburgh.

This Reform School was founded, in 1833, by a number of charitable individuals, and by private subscriptions, with the view of getting together and correcting criminal and morally-endangered children. It was at first limited to a small thatched house, whose name it has preserved, but has gradually received considerable additions. It now occupies a tolerably large extent of ground (3,800 verges of 16 square feet), on which has been erected, as occasion required, a dozen buildings, more or less spacious, each of which has its peculiar appropriation.

The Rauhen-Haus.

At the first glance, the organization of the establishment presents nothing very striking; one might even find food for criticism in the apparent confusion of the buildings, scattered here and there, and in the absence of centralization, which one might think would necessarily cause difficulties in point of superintendence, and be opposed to economy. But these apparent defects vanish when the economy of the institute is thoroughly studied, and the object of it is kept in view. Its especial object was again to place children in family relations, to bring them within the influence of duties and affections calculated to change their habits, reform their character, and elevate their mind. The organization of the Rauhen-Haus was therefore framed upon the model of the natural family. The children are classed in groups of 12—each group forms a family: at the head of each family is a superintendent who discharges the duties of father. All the families are connected with the principal centre, and have one common father, the director, who presides over the whole institution, and watches over its general interests.

Each family occupies a separate dwelling. Generally this is on the ground-floor, and is composed of a room furnished with benches, tables, and cupboards; a dormitory; and a small room in which they wash and keep the household utensils. These places are only remarkable for their cleanliness and simplicity; no other ornaments are seen there but the presents made to *the family* by friends. Each dwelling has its place of exercise, more or less shaded, and a small garden where the children cultivate the vegetables they require. All these private gardens form a portion of the principal garden of the establishment, and constitute a whole which lacks neither charm nor harmony.

The chapel, school, and workshops are in common, and serve in some measure as a bond between the members of the different *families*, who meet there at certain periods.

In the morning in summer at ½ past 4, and in the winter at 5, the bell rings, which is the signal for rising. The brother or the sister reads a short prayer, the children make their beds, wash and comb themselves; and generally, in summer, the boys take a bath in a small river which runs through the property. Each *family* then puts its house in order; the places are cleaned and

the furniture dusted. If any time is left, it is devoted to study and reading, or to working in the garden. At 6 o'clock the bell again rings, and each *family*, with its superintendent, repairs, bible in hand, to the chapel, to be present at the domestic religious service. This service, performed with a certain solemnity, lasts nearly an hour; after which each family returns to its dwelling, where it finds breakfast ready.

This meal lasts half an hour, during which the *brother*, in case of necessity, explains the instruction which has preceded it. From ½ past 7 o'clock till noon the families disperse and form new groups; this time is given to school, (which generally occupies an hour,) and to manual labour in the gardens and workshops. At noon all the members of every family again assemble for dinner, one of the children having prepared the table; two others fetch the food from the central kitchen; the meal is preceded and ended with a short prayer, which is said by the superintending *brother*, who shares the ordinary meal of the children, and takes advantage of this opportunity to converse familiarly with them. After dinner they have recreation, the children play, tend their flowers or read, others wash and put away the utensils. At 1 o'clock the bell rings them again to their work, which goes on till ¼ past 4. From ½ past 4 to 5 *goûter* and rest. From 5 to 7 the time is again employed between work and instruction. From 7 to 8 the *families* again go to their dwellings, when the time is employed agreeably to the wishes of each. At 8 o'clock supper is followed by the evening religious service, for which, as at that in the morning, all the population assemble in the chapel. They go to bed between ½ past 8 and 9 o'clock, and the day ends as it began, with a short prayer, said by the *brother* who sleeps in the children's dormitory, but who retires to rest later than they.

Every day, after morning prayers, the director holds a short conference, at which the children and the officers are present. At the conference the faults committed the day before are made known, and the director admonishes or punishes; the arrangements for the day are announced; the necessary instructions are given to the officers, and the children are inspected to see if they are clean, and if their clothes are in proper condition.

Every Monday the director holds a conference with the officers, when each child is specially considered, and the director hears the observations of the *brothers*, and gives them instructions.

On Saturday evening there is a special meeting, when everything belonging to the work—the economy and the management of the different workshops—is discussed.

The economy of the Rauhen-Haus has been framed, as we have said, with a view to attach the pupils to the establishment, and to unite them to their superintendents, as if they formed part of the same family.

EXPENSES.

	Mcs. Cts.	s.	p.
Maintenance and repairs of buildings	1,278	4	3
Insurance against fire	89	8	6
Expenses of pupils on leaving	47	14	0
Victualling	7,385	0	0
Oil and lighting	417	15	0
Fuel	1,133	3	0
Washing	352	15	0
Scouring articles, &c.	275	13	0
Clothing	623	9	0
Medicine, &c.	165	5	0
Officers' pay	730	8	0
Director's salary	1,500	0	0
Tools	168	15	0
Furniture and kitchen utensils	771	10	6
Wages	503	8	0
School expenses	83	10	0
Farm expenses	784	1	0
Cattle	274	12	0
Rent and other charges	208	4	0
Expense on reception of children	10	15	0
Presents to children	16	6	6
Printing and postage	26	1	6
Sundry expenses	51	15	6
	16,898	12	9

(25,855 fr. 20 c.)

The average population was, in the same year, 100, of whom 86 were children, and 14 officers. The expense, per head, was 258 fr. 55 c. or 300 fr. reckoning only the children.

Agricultural Reform School at Ruysselede, West Flanders, for destitute, mendicant, and vagrant Juveniles.

The condition of the destitute, mendicant, and vagrant juveniles who have been received into the poor-houses and imprisoned, has for a long time engaged the attention of the Government. From the unhappy position of the population of the Two Flanders during the last two years, the number of these juveniles has increased in a considerable ratio. The following is a return for 1848, showing the increase during the three preceding years :—

——	1845.	1846.	1847.	Total.
In the prisons	2,575	5,886	9,352	17,813
In poor-houses	1,823	2,914	3,697	8,434

The same children have, no doubt, been placed twice, three times, or even more frequently, on the same register ; but, on the other hand, these returns do not comprise the juveniles received into the prison with their parents, and whose number during the same period has amounted to several thousands.

It must also be remarked that the principal poor-houses, being crowded at the height of the crisis, were obliged to restrict, and even refuse, admission. Hence, mainly, the extraordinary increase of population in the houses of detention. Repulsed from the poor-houses, a great number of wretched creatures, to escape from hunger, cold, and death, demanded shelter in the prisons, and even committed slight offences for the purpose of being admitted.

Under these distressing circumstances, it has been found urgently necessary to resort to energetic measures for arresting pauperism, and for snatching these unfortunate juveniles from the influence of causes which, by perpetuating their degradation and misery, expose society to incessant danger, and involve it in constantly-increasing sacrifices.

It is with this especial object that the department of justice framed a Bill for the establishment of reform schools for the destitute, mendicant, and vagrant juveniles of both sexes.

This Bill, laid before the Chamber of Representatives at its sitting of the 17th November 1846, was the object of a searching examination on the part of the Central Section, which made its Report on the 6th May 1847. Proceeding on the principles laid down by the Central Section, Government devised a new scheme, which was submitted to the chamber of Representatives the 28th February 1848. Discussed and passed by the Two Chambers, the law concerning the poor houses and reform schools was promulgated the 3d April 1848.

The 5th article of this law orders that the present poor-houses shall be exclusively devoted to destitute, mendicant, and vagrant adults :

That the Government shall erect special establishments for destitute, mendicant, and vagrant juveniles of both sexes, under 18 years of age :

That these establishments shall be organized so as to employ the boys, as far as possible, in agricultural labour, and to instruct them in such work as they can be advantageously employed in in the country :

That the children of both sexes shall be, in all cases, placed in district and separate establishments.

By Article 7 the daily charge for maintenance to be paid by the Communes for juveniles admitted into these establishments is fixed. This charge, however, cannot exceed that made for those who are received into the poor-house attached to each province.

A sum of 600,000 francs is set apart for the purchase of land and buildings, and for their furniture, and other incidental expenses.

The Government is bound to make every year a Report to

the Legislative Chambers on the measures adopted in accordance with the preceding arrangements, and on the condition of the establishments.

The Government took active steps for carrying out the law of the 3d April 1848. The preparatory measures occupied a portion of the same year; and on the 8th March a Royal Decree ordered the establishment, at Ruysselede, of two reform schools, one for 500 boys, the other for 400 girls and young children, from 2 to 7 years of age.

Distinct and separate buildings are to be attached to each of these two establishments, so as to maintain a strict separation of the sexes. They will, however, be sufficiently blended to admit of a common direction, of a useful combination of their labour, and of their assisting each other, so as to reduce, as much as possible, the expenses of the establishment.

The Royal Decree of the 3d July 1850 specifies the conditions and the forms relative to the admission to the Reform Schools, and to its charge for these establishments.

By the terms of this Decree, and of the law of the 3d April 1848, the Reform Schools are especially intended—

(1.) For destitute juveniles under 18 years of age, who voluntarily seek admission, furnished either with the authority of the Burgomasters, &c. of their place of residence, or of the college of the Burgomasters, &c of the place where they happen to be.

(2.) For destitute juveniles, furnished with the authority of the Governor of the Province, or of the Commissary of the Arrondissement, to which belongs the place where these poor have received assistance, that of their residence, or the locality in which they happen to be.

(3.) For children or young people convicted of beggary or vagrancy.

(4.) For children acquitted of beggary or vagrancy, but who, agreeably to the 66th article of the Penal Code, are detained, to be brought up, to a certain age, in a house of correction.

(5.) For children, acquitted of all other offences, whose apprenticeship to farmers, artisans, or charitable institutions is authorized by the decree of the 29th September 1848.

The first reception took place in March 1849, soon after the purchase of the property. At first 19 children from the poor-house of Bruges were received, then 15 from that of Cambre; soon after there were sent to Ruysselede 63 mendicant and vagrant juveniles, as having acted *sans discernement*, but detained in virtue of the 66th article of the Penal Code, who had been placed in the Penitentiary of St. Hubert, for want of some special place for their reception. On the 1st January 1850 there was a total population of 121.

The destitute juveniles who enter the Reform Schools voluntarily are kept there at least six months, if there for the first time, and at least a year if they have been there more than once, or have been previously in a poor-house.

At the expiration of this term, the authorities of the place where they have received assistance, their family, or any responsible person, may demand their discharge on condition of providing for their education and apprenticeship, and of supplying their wants.

Every demand for the objects above specified must be addressed to the permanent deputation of the Council of the province to which the colonists belong, directly, if these demands emanate from the communal authorities of the place where they have received assistance, and, if they emanate from their family or from strangers, through the medium of the communal authorities, who at the same time give their opinion upon the matter.

The deputation consider the guarantees which are laid before them, and authorize or refuse the discharge of the colonists.

In the absence of a demand made in the manner above stated, the deputation, after having consulted the Committee of Management and the Director of the Reform Schools, may authorize his discharge, if the individual is in a condition to gain his subsistence.

Discharge is in all cases subject to the following conditions :—

To have been at least two years in the Reform School, if convicted for the first time, and at least four years, if a recommittal.

To be able to gain their livelihood, or else to be demanded by the authorities of the commune where they have received assistance, by their family, or by any responsible person, who will guarantee that they will never again become beggars, or vagrants, and that they shall have work or sufficient relief.

The validity of this guarantee is left respectively to the Governor and the Minister of Justice.

The Minister and the Governor may authorize discharge before the fixed time, if there are special reasons for shortening the stay of the colonists at the Reform Schools.

Before coming to a decision the Minister or the Governor takes the advice of the Committee of Management and of the Director of the establishment, as well as of the authorities of the *domicile de secours.*

The period of the discharge of the children acquitted of beggary and vagrancy is fixed by the sentence, in virtue of which they have been detained and placed at the Reform Schools.

It is the same as regards children placed in these establishments by the terms of the decree of 29th September 1848, unless their conduct or other reasons necessitate their being sent back to prison. The authorities of the Reform School make on this point such propositions as they deem necessary.

The colonists on quitting the Reform Schools are informed by the Director of the consequences which a return to these establishments would entail upon them.

The Committee of Management of the Reform Schools forwards to the Minister of Justice at the commencement of every year a

list of the colonists whose stay has exceeded the period above named, stating the reasons.

The Minister, if there are grounds for doing it, orders discharge.

The Committee also transmits yearly to the Minister a nominal list of the colonists who have reached their eighteenth year, adding his opinions and his propositions.

The age of the 269 colonists on the 1st January 1851 was as follows :—

21	under 10 years.	42	were orphans.
45	from 10 to 12 years.	43	had no father.
94	from 12 to 14 years.	88	had no mother.
80	from 14 to 16 years.	64	had both father and mother.
29	above 16 years.	3	were foundlings.
28	were natural children.	1	was deserted.

The officers of the establishment were as follows :—

		francs.
1	director	4,000
1	chaplain	1,200
1	accountant	1,200
1	secretary	600
1	supernumerary	—
1	surgeon	600
2	schoolmasters, at 600 fr.	1,200
1	chief superintendent	600
3	superintendents, at 450 fr.	1,350
1	superintendent (temporary)	400
1	agricultural superintendent	600
1	gardener	400
1	assistant gardener	300
4	workmen attached to the workshops, stables, and farm, at 200 fr.	800
1	cook	200
1	baker 1 housekeeper	250
21	Total	13,700 fr.

These officers receive, in addition to their pay, board, candles, coals, washing, furniture, and medical attendance : the director receives none of these. The superintendents have, besides, a uniform, whose value may be estimated at 50 francs ; and the workmen a dress valued at 20 francs.

There are two tables for the officers—one at which the chaplain presides for the officers properly so called, the other, of which the agricultural superintendent is the head, for the farm labourers.

The officers, before receiving an appointment or a definitive engagement, are taken on probation. This system has succeeded perfectly. The conduct of the officers generally is exemplary ;

their devotion is praiseworthy, and the harmony that prevails amongst them tends to attach them to their duties. This result is especially attributable to the influence and example of the director, the chaplain, and accountant of the establishment, who use every exertion to promote the views of the higher authorities, and ensure the success of the institution.

The diet, &c. of the colonists has been arranged so as to assimilate it as much as possible to that of the country labourers: it is simple but sufficient, coarse but wholesome.

Their moral treatment has been the object of an anxiety more active and paternal, if possible, than their physical. It has been proved that the children who have been received have stood not less in need of bread for the soul than for the body; that they had to be snatched not only from misery, disease, and sometimes a premature death, but that it was also necessary to modify their habits, correct their vices, teach them their duties, raise them from a sort of hereditary degradation, and restore them in their own eyes, as well as in the eyes of society. In spite of the difficulties of an entirely new organization, in the midst of the perplexities arising out of the buildings, from the day the colonists were received they have been subjected to a strict but benevolent discipline; and up to this time there has not been a single act of insubordination of such a character as to disturb the order which has uninterruptedly prevailed in the establishment.

The population is now divided into 5 divisions of 50 to 60 colonists each, classed, as far as possible, according to ages. There is a superintendent to every division.

Each division is divided into two sections at the head of each section is a chief, with a deputy, both appointed by the director from amongst the colonists who are remarkable for their good conduct and industry. Each section has, also, a horn.

The employment of their time is so arranged as to keep the colonists continually occupied, to prevent fatigue and *ennui* by variety, and to have them under constant superintendence. The following is the distribution of time:—

	Summer.	Winter.	Sundays and Fête days in Summer and Winter.
	A. M. A. M.	A. M. A. M.	A. M. A. M.
Prisoners rise	5 0 —	5 0 —	— —
Prayers, wash, make beds, muster	5 0 to 5 30	5 0 to 5 45	5 0 to 5 30
Exercises	5 30 to 6 30	— —	— —
Inspection as to cleanliness, &c.	— —	— —	5 20 to 7 30
Singing class	— —	5 45 to 6 45	— —
Breakfast	6 30 to 6 45	6 45 to 7 0	7 30 to 8 0
Distribution of work	6 45 to 7 0	7 0 to 7 15	— —
Work	7 0 to 11 0	7 15 to 12 0	— —
Recreation	— —	— —	8 0 to 8 45
Mass, sermon	— —	— —	8 45 to 9 45
Singing class, &c.	11 0 to 12 0	— —	9 45 to 11 0
Rehearsal of the fanfare	— —	11 6 to 12 0	— —
	P. M.	P. M.	P.M.
Dinner	12 0 to 12 15	12 0 to 12 15	12 0 to 12 15
	P. M.	P. M.	
Recreation	12 15 to 1 0	12 15 to 1 0	— —
Recreation and games	— —	— —	11 0 to 12 0 and 12 15 to 2 0
Work	1 0 to 5 30	2 0 to 5 45	— —
Gymnastics, and military exercises	— —	1 0 to 2 0	— —
Catechism for children who have not gone through their first communion	4 30 to 5 30	4 30 to 5 45	— —
Catechism and lectures on the Christian religion	— —	— —	2 0 to 4 0
Gymnastics and military exercises or walking	— —	— —	4 0 to 5 45
Supper	5 30 to 5 45	5 45 to 6 0	5 45 to 6 0
Elementary instruction	5 45 to 7 30	6 0 to 8 0	6 0 to 8 0
Gymnastics	7 30 to 8 45	— —	— —
Muster report	8 45 to 9 0	8 0 to 8 30	8 0 to 8 30
Prayers, go to bed	9 0 —	8 30	8 15
Saturdays, clean workshops, bathe, &c.	5 0 to 7 0	1 0 to 4 30	— —

Abstract.

	Summer.	Winter.
	h. m.	h. m.
Work	8 30	8 30
School instruction	1 45	2 0
Vocal and instrumental music	1 0	1 0
Gymnastics, military exercises	2 15	1 0
Meals	0 45	0 45
Recreation	0 45	0 45
Rising, going to bed, prayers, musters, &c.	1 0	1 30
Rest	8 0	8 30
Total	24 0	24 0

The employment of the time on Sundays and fête days will shortly undergo modification. The completion of the chapel will allow time for singing in the afternoon, vespers, &c. The time to be thus employed will be taken from the hours set apart for recreation.

It will be remarked that, especially in summer, gymnastics, military manœuvres, and exercises, occupy some considerable time. To comprehend the necessity, and to appreciate the salutary effect, of these exercises, the deplorable condition of the children on their arrival must be seen, and the favourable change operated in their outward appearance and constitution after a certain stay in the establishment. Spinal defects, scrofulous affections, want of elasticity in the limbs soon disappear, as their exercises tend not only to maintain health and to develop the strength and activity of the children, but also to accustom them to discipline, open their mind, and procure them an agreeable amusement while preparing them for different useful callings. The fatigue induced by these exercises, which, however, does not reach exhaustion, predisposes the colonists to sleep, and may be considered as one of the most effectual safeguards against vice and irregularity.

Thanks to the zeal and the peculiar qualifications of the chief superintendent, who directs the gymnastics, all the exercises are executed with precision. The school battalion manœuvres with as much exactness as the best battalions in the army; a company armed with old rejected carbines, walks at the head, and gives the step; the exercise with the bayonet, &c., is a real amusement to the children; and those who afterwards go into the army have previously gone through all the drilling to which our conscripts are subjected.

Their moral, intellectual, and religious education is attended to as well as their physical training.

The school instruction, which had only been sketched in 1849, has been completely organized. The pupils are divided into two classes, each class subdivided into two sections. At the head of each class is a schoolmaster, assisted by a certain number of monitors chosen from amongst the colonists, for whom there has been established a special and daily course, to prepare them for these duties. Among these monitors are some who evince talents and aptitude truly remarkable, and who will hereafter become distinguished teachers.

The instruction, which is given alternately in the two languages, French and Flemish, comprises reading, writing, grammar, dictation, mnemonic exercises, arithmetic, mental and written, the legal system of weights and measures, general geography and the history of the country, linear drawing, and vocal and instrumental music. This instruction will be extended and developed in course of time, with the progress of the pupils, so as to embrace all the knowledge which may be useful to the workmen, and contribute to his intellectual, moral, and professional benefit. At the commencement it has been necessary to confine it to the most elementary knowledge.

The schoolrooms are spacious, well-lighted, and provided with all necessary materials. A library, composed of the best moral, instructive, and amusing works, in the two languages, is in course of formation for the officers and colonists.

Out of a population of 245 colonists on the 1st of January 1851, there were found to be on admission—

12 who could read and write.
22 who knew the alphabet.
181 completely ignorant.

After remaining a few months, or even a few weeks, for more than half the colonists, the following is the result of an examination they underwent:—

Out of 241 children.

Reading, Flemish	114 fluently. 45 imperfectly. 86 beginners.
Reading, French	38 well. 26 less well. 181 not at all.
Grammar and dictation, Flemish language	64 well. 181 not at all.
Grammar and dictation, French language	55 well. 9 less well. 181 not at all.
Mnemonic exercises	139 well. 42 less well. 64 beginners.
Mental arithmetic	104 very well. 77 well. 38 less well. 26 beginners.
Arithmetic	104 very well. 64 well. 11 less well. 66 beginners.
Writing	99 well. 58 less well. 88 beginners.
Metrical system	104 very well. 14 well. 127 beginners.
Geography and history of the country	47 well. 17 less well. 181 not at all.
Vocal music	114 well. 131 beginners.
Instrumental music	14 very well. 11 beginners. 220 not at all.

The chief superintendent keeps a book, in which he enters regularly the communications made to him daily with respect to the colonists, by the other officers, the heads of the workshops,

and of the sections, &c. At the end of every month the director examines these notes, and determines the good and bad points, as regards—

General conduct,
Order and cleanliness,
School instruction,
Religion,
Work.

The colonists who for three consecutive months have incurred no punishment, and who have obtained during each month of the quarter a fixed maximum of good points, are placed in a class of honour, from which the director selects the head and the deputies of sections. The names of those colonists who are admitted into the class of honour are written on a list hung up in one of the principal halls of the establishment.

The director distributes the rewards: they are recorded, and submitted to the Inspector-General and the members of the Committee of Management, at the time of their visits.

The rewards are—

Honourable mention.
Public commendation.
Appointment to certain offices of trust.
Appointment to the duties of chief and deputy of sections.
Enrolment on the roll of honour.
Authority to learn some instrument, and to form a part of the music of the school.
Walks, little excursions, visits to family.

The roll of honour was formed, for the first time, on the 1st January 1850, at the end of which year it had on it 164 colonists, viz.—

For the 1st time	58
„ 2d „	39
„ 3d „	50
„ 4th „	17

No favour can be granted but to those who are on the roll of honour. A single fault, a single bad point, causes the name of a colonist to be taken from the roll. The number whose names were erased in the course of the year is as follows :—

For insubordination	7
„ want of cleanliness	4
„ idleness	2
„ improper conversation	1
„ false charge	1
„ gluttony	1
„ stealing apples, carrots, eggs, &c.	5
„ abetting in theft	1
„ desertion	1
	23

If good conduct and praiseworthy acts are rewarded, vices and faults are punished with more or less severity. The punishments are as follows :—

Reprimand.
Detention during the amusements.
Forced marching, with or without hand irons, with or without being put on bread and water.
Loss of grade as chief or deputy of a section.
Withdrawal from offices of trust.
Withdrawal of the instrument, and taken away from the band of the establishment.
Erasure from the roll of honour.
Confinement in cell.

No punishment can be inflicted but by order of the director. The chiefs of sections report to the superintendent of the division, the superintendents to their chief, and the latter to the director ; but the superintendents may reprimand and place the colonists under temporary detention.

The punishments are entered in a book and recorded against those colonists who have incurred them. The following is a return for 1850 :—

Quarrels	4
Violence	5
Idleness	27
Want of cleanliness	33
Insubordination	25
Negligence	14
Turbulence	15
Refusing to work	3
Gluttony	5
Blasphemy	3
Indecent conversation	2
False charge	1
Stealing apples, carrots, &c.	13
Abetting in theft	4
Attempt to escape	8
Desertion	4
	168

Most frequently a public reprimand has been sufficient, in some cases extra drill has been resorted to, sometimes with hand-irons, rarely with the addition of bread and water only. Up to this time there has been no cellular confinement, and only one case of degradation from the office of chief of a section. All the others have appreciated the honour of wearing the badge, and are justly proud of this mark of distinction.

The first Sunday of every month, after mass, the officers and the colonists are assembled together, the director presiding ; the latter praises or admonishes according to every one's deserts, announces the rewards and punishments, appoints the chiefs and deputies of sections, and takes advantage of the circumstances which have occurred during the past month, as well as of those

which may then offer, to remind the colonists of their duties, to stimulate their zeal, and awaken in them good sentiments and noble thoughts. These meetings, which have up to this time exercised the most wholesome influence, will henceforth take place weekly. The director, also, proposes to assemble the principal officers every Saturday, to concert with them the necessary measures, to converse on the interests of the colonists, and discuss the proper steps for ensuring the success of the establishment. There will be an order book and a journal.

It may now be asserted that an excellent spirit pervades the Reform School, the children are obedient, respectful to their superiors, affable and kind to each other ; disputes are rare, the paternal tie which unites them gains strength. They are attached to the establishment, they have its good name at heart, and when one of them behaves ill, his greatest punishment is the disapprobation of his companions, and their withdrawal from his society. This species of interdict, inflicted by the good on the bad, is remarkable, it is a powerful auxiliary to discipline ; and more than one child on whom the admonitions and advice of the officers had no effect, has yielded to the moral and wholesome influence exercised by the opinion of the school.

During the past year many opportunities offered for testing the system of education pursued in the establishment. The agricultural and industrial exhibition at Bruges in September 1850, where the Reform School figured with its car, with the emblems of agriculture, its music, and armed company ; the distribution of the medals of the same exhibition, which took place shortly after in the commune of Ruysselede, where the colonists received the rewards allotted to their collective labour ; the agricultural decoration awarded to the superintendent of agriculture for his valuable services ; the ceremonies of the jubilees at Bruges, in which the children inscribed on the roll of honour participated, were powerful means of encouragement and emulation. Thus coming into contact with the population out of doors, seeing themselves the objects of so much care, the colonists perceived that the work of their regeneration had begun ; the little miserable beggar, the young vagrant without home or country, felt the awakening in his heart of gratitude, love, and the feeling of human dignity. There are numerous proofs of this transformation.

It is clear from the foregoing details that Ruysselede is not a prison, a place of penance, but a real *school of reform*. The colonists there enjoy a liberty which is modified only by the rule to which they all submit, in some measure, spontaneously and willingly ; all idea of constraint has been removed ; there are neither walls, nor bars, nor bolts ; if, then, the children remain there it is because they wish it and are happy. The small number of escapes which have taken place since the commencement demonstrates the advantages of the system based upon confidence and persuasion. There is no hesitation, where a child behaves well, and belongs to a respectable family, in giving it permission to pay

its parents a visit in the neighbourhood from time to time; this permission has never been abused, and the colonists to whom it has been granted have always returned home at the fixed time. In course of time other favours and other means of amusement will be resorted to, to reward their good conduct and stimulate their zeal; for instance, on certain days, the most deserving children may be allowed to sit at the officers' table; in the winter evenings they may sit up later, and, in a well-lighted hall, they may employ themselves in study and reading of their own selection, or be present at conferences on instructive and amusing subjects. Games may also be set on foot, such as archery, bowls, &c., in short, the establishment of a few annual fêtes, as in the schools of Germany, and especially the celebration of the anniversary of the establishment, will tend to give variety and animation to the existence of the colonists, to cement the bonds of gratitude and affection between them and their benefactors, and to leave agreeable remembrances of their residence at the colony.

Agreeably to the principles on which it was founded the Reform School at Ruysselede is essentially an agricultural establishment. All the labour there has reference to agriculture and the trades connected with it, and such as may be exercised in the country. The colonists till the ground, sow the seed, and plant, the youngest pull up the weeds, the oldest and the strongest are employed in reaping and threshing. One brigade is specially attached to the farm, where, in turn, the colonists who belong to it are occupied in the stable, the stall, the piggery, the poultry-yard, and the dairy, &c. Another brigade is engaged in the kitchen garden under the direction and superintendence of the gardener and his assistant. During the first two years it was necessary to employ a few extra workmen in consequence of the inexperience of the children, and to execute certain works for which they were quite unfit; but henceforth there will be no occasion for such assistance.

During the season of cultivation and harvest it is estimated that from 250 to 300 children may be regularly employed, these children are to be selected preferably from amongst those belonging to the rural population, orphans and deserted children. With respect to the children from towns who, on their quitting the school, will return to their family, they will have employment in the workshops already organized, or hereafter to be established, which will also supply the means of occupying the agricultural portion of the children in bad weather and when labour in the fields is necessarily suspended.

In the choice of industrial occupations, properly so called, it has been necessary to consider as far as possible the interests of the two classes of the population, the agricultural and the urban, so as to enable them to make use of the knowledge they may have acquired in whatever position they may find themselves on leaving the school. This object has engaged the serious attention of the directors, who, without coming to any definite conclusion

on this point, have, however, regarded the following occupations as satisfying in a greater or less degree the required conditions :—

That of blacksmith, locksmith, making and repairing agricultural implements and tools of different kinds. The steam engine will supply the means of employment for many, and for training them to the duties of stokers, &c.

The trades of carpenter, wheelwright, cooper, turner, carving in wood, &c.

Harness-maker, saddler, shoemaker, tailor, painter, glazier, mason, brickmaker, hatter, brushmaker, toy-maker, carpet-maker, &c.

Flax-dressing, spinning, weaving, miller, baker, cook, servants, musicians, soldiers, sailors, boys, &c.

Some of the occupations mentioned in the above list have been already introduced into the school. Workshops for blacksmiths, locksmiths, wheelwrights, coopers, tailors, &c. are already organized ; the workshop for spinning and weaving is completely furnished with the necessary apparatus, and at this time a superintendent only is wanting to put it into play. The tailors' workshop is managed by one of the superintendents ; at the head of others have been placed good workmen, paid by the day or month, who work themselves at the same time that they superintend the apprentices placed under them. In future the superintendents will be selected from amongst workmen able to direct the workshops of the schools, thus combining superintendence with the management of the apprenticeship of the colonists, a great saving will be effected concurrently with the maintenance of discipline. Already amongst the superintendents are a labourer, a gardener, and a tailor, combining the two above-named duties.

The 245 colonists in the establishment at the beginning of 1851 were occupied in the following manner :—

A.—*Agriculture, &c.*

1.	In the kitchen garden	30	
2.	Threshing	12	
3.	Stables	4	
4.	Cattle stalls	4	
5.	Employed on the farm in various ways	20	
			70

B.—*Workshops.*

6.	Tailors, &c.	30	
7.	Carpenters, &c.	13	
8.	Blacksmiths and locksmiths	8	
9.	Wheelwrights	2	
10.	Coopers	2	
11.	Machinist	1	
12.	Planter	1	
13.	Straw hat and basket makers	40	
14.	Repairing roads and breaking stones	28	
			125
	Carried forward		195

	Brought forward -	195
	C.—*Household work, &c.*	
15.	Bakers - - - -	2
16.	Washers - - - - -	11
17.	Cooks, &c. - - - -	12
18.	Cleaners - - -	15
19.	Servants for officers quarters - - -	2
20.	In officers kitchen - - - -	2
21.	Infirmary assistant - - - -	1
22.	Porter's assistant - - -	1
23.	Trumpeter - - - -	1
		48
24.	Sick in the infirmary - - - -	2
	Total - -	245

Thus it may be seen that all the colonists are occupied. Although it is winter, there is no lack of work ; and, if the hands were more numerous, it would not be difficult to employ them. It has been mentioned that 60 children were under 12 years of age ; these are employed at the easiest and least fatiguing labour ; they weave the straw and make hats for the whole population. The oldest and strongest are employed in work which require more strength and intelligence ; but all, when the weather permits, and circumstances require it, go from the workshops into the fields, and render all the assistance in their power. Thus has been discovered the advantage gained by a change of occupation : its variety gratifies the curiosity of the children, stimulates their industry, prevents the weariness inseparable from a monotonous and constantly-uniform employment, allows of work being adapted to peculiar dispositions and aptitudes, and must have the effect of instructing them in different occupations, which will be useful to them hereafter.

The colonists receive no pay. Before they can be paid for their services, they must cover by the produce of their labour the expenses of their maintenance, education, and apprenticeship. There is a fund to meet their most pressing wants on quitting the school. Motives of a higher kind have been substituted for the stimulus of pecuniary interest, such as emulation and moral encouragement, and commendation of their zeal and progress.

At the time of the first occupation of the property in the end of 1848 the land presented the most deplorable aspect, completely neglected, impoverished, choked with weeds, which, notwithstanding all the pains and constant weeding, still exist, and seem to defy the most persevering exertions ; yet, in 1849, 63 hectares were put under cultivation. In 1850 the cultivation was extended to about 98 hectares. A kitchen garden has been made occupying about 4½ hectares, arranged on the best plan ; its paths are bordered with fruit trees, and it is surrounded by a hedge of gooseberry bushes, raspberry canes, and mulberry trees. By the side of the kitchen garden is a small nursery of forest and fruit trees and shrubs, which is intended to supply what is necessary

for the plantation, and also to serve for instructing the colonists. With the same view, there is a field for experiments, in which is planted grain or seed of different kinds, and the best varieties, by which it will be seen which sorts are best suited for the soil attached to the establishment, and likely to be most successful. In the orchard there appeared a destructive moss, and a few poor apple-trees were destroyed by it. This state of things has been altered, and the orchard has been changed into a pasture and place of exercise for young animals.

The essential point was to procure the manure necessary to fecundate a soil naturally poor. The arrangement entered into with the Maison de Gand, and which we have mentioned, has met this want, and the increase of the establishment and of the cattle will soon put the school in a position to do without the purchase of this article, and even to extend cultivation, without any perceptible increase of expense under this head.

Guano, lime, and a manure called *dusseau*, recently recommended by many agricultural works, have been tried for hay, &c., the results of which experiments, made only on a very limited scale, cannot yet be stated.

The expenses of cultivation have amounted to 49,192 fr. 69 c., and the receipts to 42,163 fr. 25 c. There is, therefore, an adverse balance of 7,029 fr. 44 c. But one must observe that a considerable part of the expenditure of 1849 has been brought into the account for 1850; and, amongst others, certain extraordinary expenses on first occupation, which will not be again incurred. Among these extraordinary expenses are the wages of the workmen who were temporarily engaged during the instruction of the children (1,873 fr. 58 c.); the purchase of animals, 3,760 fr. 62 c.; the purchase of a certain quantity of manure employed in 1849, 6,268 fr. 93 c.; the purchase of trees and shrubs for the nursery and plantations, 819 fr. 87 c. These 4 items only amount to 12,723 fr., which, deducted from the above total of 49,192 fr. 69 c., reduces the latter to 36,460 fr. 69 c. Thus, the net proceeds of the cultivation amounted in 1850 to 5,693 fr. 56 c., or 58 fr. per hectare. The result would undoubtedly have been more satisfactory if the disease amongst the potatoes had not caused the loss of more than half the crop; the flax, oats, and peas have also suffered greatly, and have yielded crops far inferior to that of ordinary years. Add to these failures the bad condition of the land, the considerable quantity of manure which it has been necessary to use for their improvement, the inexperience of the colonists, taken from beggary and vagrancy, and the absence of a dairy and poultry-yard, &c.; and it will not be difficult to see that it was quite impossible in so short a time and under such unfavourable circumstances to do more.

Wheat and barley have been sown only by way of experiment. Their produce has been inconsiderable; but the experiment will be renewed this year, although on a more limited scale. The essential point would be for the establishment to produce in time the principal articles of consumption, which is the only means of rendering the management as economical as possible: but this

could only be effected by extending the cultivation in proportion to the population of the Reform Schools.

When the establishment for girls is added, the entire school, including the officers, will amount to nearly 1,000. It is evident that the produce of about 100 hectares will not suffice for the population, but that at least double the space will be required for work and food.

The number of animals has been gradually increased to 1850, and on the 31st December of this year there were as follows :—

7 horses.	8 Southdown sheep.
1 ass.	28 pigs (Essex and native).
2 draught oxen.	54 fowls.
22 cows.	2 turkeys.
19 heifers and steers.	20 pigeons.
2 heifers belonging to the province.	2 watch dogs.

An examination of the accounts show that, setting aside the expenses of cultivation and of the workshops, which are more than covered by the materials, animals, tools, and provisions in hand, 447,968 fr. have been appropriated for the establishment of a Reform School for boys, out of the sum of 600,000 fr. given by the law of the 3d April 1848, for the erection of Schools of Reform.

2. There consequently remains a sum of 152,032 fr. available for the establishment of a school for girls.

3. There has been expended for the management and maintenance of the school for boys in 1849 and 1850 a sum of 82,758 fr.; but in this sum are included furniture, bedding, and clothing for a population of 500 children. These are real advances which cannot be placed amongst the ordinary expenses of the two years, to which our accounts refer. If these be deducted the extraordinary expenses incurred in 1850, as well as the expenses of the farm officers, carried to the special account of the agricultural work, the real expenditure of this year for the Reform School for boys may be calculated as follows :—

	frs.	c.
Salaries of officers	9,483	32
Maintenance of officers	5,172	81
Bedding for officers	177	—
Uniform for officers	119	06
Victualling of colonists	13,676	65
Clothing for ditto	2,025	—
Bedding for ditto	640	—
Lighting	1,403	76
Warming	287	21
Cleaning	198	59
Washing	651	74
Office expenses	188	77
School	731	60
Religion	200,	40
Infirmary	48	94
Total	35,004	85

The number of days was 62,462.

	frs.	c.
The cost for maintenance per day is therefore	21	89
And for all other expenses - - -	34	15
Total cost per day -	56	04

The expenses for maintenance, &c. of officers, may be thus analysed :—

	frs.	c.
Victualling - - -	4,560	88
Cook's salary - - -	206	50
Washing - - -	355	59
Fuel for kitchen - - -	49	84
Total - -	5,172	81

The number of days maintenance, including cook, is 4,667.

	frs.	c.
The cost per day for victualling is - -	97	72
And for all other expenses - -	10	56
Total cost per day -	108	28

The special management of the farm has occasioned the following expenditure :—

	frs.	c.
Victualling - - - -	2,424	19
Lighting - - - -	70	—
Warming - - - -	35	—
Washing - - - -	246	18
Workmen's dress - - -	27	36
Total - -	2,802	73

The number of days maintenance is 3,304.

	frs.	c.
The cost per day for victualling is -	73	43
And for other expenses - -	11	47
Total cost per day -	84	90

The population of the school for boys will be, as has been observed, raised in the next spring to its maximum of 500 colonists, by the transfer of children and youths still confined in the poor-houses. These latter establishments will then be exclusively appropriated to destitute and mendicant adults, and temporarily to young girls, until they can be transferred in their turn to the establishments intended for them.

Conclusion.

To judge of the Reform School of Ruysselede, and to appreciate the results up to this time, it is of importance to keep in view the date of its establishment, and the short space of time since its first occupation. The experiment has scarcely begun; the

foundations are laid, but it now remains to subject them to the test of daily operation. If hitherto the expectations of the Government have been realized, and even exceeded in certain respects, this result is especially attributable to the zeal and devotion of the committee, the directors, and the officers generally; but from thence to certain success the distance is great, and to pass it without mishap, will require a sustained perseverance which nothing can discourage, and a firm resolution to surmount difficulties and obstacles which will not fail to present themselves.

Although the cultivation is already established on a pretty good footing it will be necessary to extend and improve it, so as to produce, as far as possible, in proportion to the wants of the population. The cattle-sheds, the dairy, the piggery, the poultry-yard, must become the source of certain profits. In agriculture, economy is the mainspring of success; this economy must be extended to manure, to sowing, and to the feeding of animals; every loss, every waste, in this respect, add to the expense. It is conceivable that, at first, when the establishment was crowded with workmen, when the attention of the authorities was engrossed with the various and numerous cares of a new organization, when they were occupied at once with the labours of construction and appropriation, with the fittings, the *personnel*, discipline, cultivation, workshops, &c., it was impossible to look to minute details. The want of roads and convenient means of transport must have at first raised the price of manure; for want of a dairy, the products of the stall were not so great as could have been desired; for want of enclosure, the proceeds of the poultry-yard were insignificant; the hens laid their eggs in the woods, or the eggs were stolen by the vagabonds of the neighbourhood. On the other hand, the inexperience of the little beggars, who, in their life, had never handled a tool; their idleness, which it was difficult to overcome; their vitiated and enfeebled constitutions —constitutions which it has been necessary to strengthen, have been so many obstacles which it is important not to lose sight of. But now that these obstacles are in great measure removed, that the establishment and the farm are organized on a certain footing, and the population has acquired, with the habit of discipline, a certain degree of strength and aptitude, the attention of the authorities will be more especially directed to economy, and embrace all those details which have been necessarily neglected up to this time.

After having disposed of present exigencies it is of importance to provide for the wants of the future. The extension of the benefits of *patronage* on their quitting Reform Schools, might be usefully combined with their apprenticeship, or engaging their services under certain fixed conditions. Among these conditions it would be necessary to stipulate, in certain cases, that those children whose conduct falls short of what is expected, or who may not be competent for the occupation to which they have been assigned should be sent back to the school. This power would have the double advantage of rendering the placing of the

boys more easy, and of preserving over the colonists, on their discharge, an authority and a species of guardianship which are now unhappily wanting. It would be well, also, that the authorities should have the right of placing out the children, when an opportunity offered, before the time fixed for their discharge, as well as of prolonging their stay when the opportunities of placing them out do not offer.

When the Reform Schools are in full play and completely developed, means may be devised for the emigration of those colonists whom no family tie binds to the country, and who might have a chance of finding abroad a prospect of employment which in Belgium they could not obtain. In this category we place foundlings and deserted children, orphans, &c. But it must be well understood that the patronage and protection of Government should accompany the young emigrants to their new country, and that they should always have the power to return, should the hopes entertained respecting them fail to be fulfilled. The Reform Schools would thus become a sort of nursery, where might be found useful elements of colonisation for home and abroad. Judiciously prepared, carried out by young and vigorous arms, stimulated by a lofty idea of devotedness, the work of colonisation, which would certainly fail if left to poor artizans, and to men enfeebled, generally, by privation, idleness, and vice, would be, we are thoroughly convinced, crowned with complete success. The colonists going from our preparatory schools would fulfil a mission resembling that of those hardy pioneers who patiently laid the foundations of the greatness of the United States, by opening for those who follow after them abundant sources of labour and profit.

One of the greatest difficulties in the way of organizing Reform Schools is undoubtedly that of finding capable and zealous officers. To overcome this difficulty it was at first contemplated to establish at Ruysselede a school of superintendents, like those of Mettray and Horn, and the normal schools of Switzerland. Financial considerations caused the postponement of this plan, which will soon, however, be practicable without increase of expense, by the help of the elements which our establishment contains. At the present time, the chiefs and deputies of sections, the monitors of the workshops and schools, form a kind of preparatory class of officers of every rank, who will be available both for the school at Ruysselede itself, and subsidary ones, and also for such similar establishments as shall hereafter be set on foot. To encourage and facilitate this institution, it would be necessary to allow the most capable and deserving pupils to frequent, some the normal schools, others the agricultural, arboricultural, or horticultural schools, recently established under the patronage, and with the concurrence of the Government. This would be a powerful means of emulation and reward, from which the Reform Schools would reap considerable advantage. This object of a legitimate ambition would be, in a measure, the climax of the system we are carrying out.

Owing to the prolonged stay of the children in the Reform Schools, not only will their future be provided for, but a portion at least of the cost of their education and apprenticeship will also be covered.

It is of importance that this cost should be strictly limited, so as not to exceed the amount paid from public sources. We have seen that, in 1852, the budget of the Reform School of Ruysselede was arranged on such an economical footing as obliges the authorities to cover its expenses by its ordinary resources. If, as we hope, this obligation be discharged, the economical problem connected with the establishment of Reform Schools may be looked upon as solved. Then will these institutions be based on a truly solid foundation, and there will be no hesitation in giving them all the development of which they are susceptible.

ABERDEEN SCHOOLS.

EXTRACTS from a Work by Mr. ALEXANDER THOMSON, of Banchory,—"Social Evils: their Causes and their Cure."

In the year 1840, all the various sources of evil influence which have been enumerated were in active operation in the city of Aberdeen; all the beneficent exertions noticed in the last chapter, and many others besides, were also doing their work; and the struggle was going on betwixt these two sets of principles precisely as it does in every other large town in the empire.

It occurred to one person, whose name is now indissolubly connected with the cause of Industrial Schools, that some endeavour ought to be made to check the evils which daily came before him in his judicial capacity.

Mr. Sheriff Watson devised and planned the Industrial Schools, and has ever since watched over and fostered them with more than a father's care. The results have been even more satisfactory than were expected, and appear to open up the certain prospect of our being at last able to provide an effective cure for the evils and dangers arising from our neglected and outcast juveniles.

The system of the "Aberdeen Industrial Feeding Schools" is in itself *absolutely new*, at least we have not been able to find any account of other institutions identically the same, save the few formed avowedly as copies of them; and yet the principles on which they are conducted are so simple, and they approach at so many points to other well-known and common institutions, that many fail to perceive that, as a whole, they are indeed a new thing.

There is no one feature of the Aberdeen school which is not to be found in some other school, or poorhouse, or hospital. But there is no other institution where the different parts are so combined into one whole; and here lies the essence of Mr. Watson's discovery. Selecting from other schemes whatever was beneficial to the class whose welfare he sought to promote, and carefully avoiding whatever he felt would exercise a hurtful influence, he gradually worked out the plan which has proved so successful.

It is necessary here to state, in the strongest terms, that the plan must be taken as a whole; if divided, it must fail; the minutest part of it is essential to its success; and if any schools be formed on the basis of mutilated imitations, let not the blame be laid on the Aberdeen system, but on departure from the model.

Their promoters and supporters are confident of success, founded on ten years' experience, provided their principles be rigidly maintained; and they are equally confident of disappointment and failure wherever they are disregarded.

Fortunately for the nation, the system is so simple that it can be brought into operation in any locality, provided only there be an ordinary amount of Christian zeal and activity willing to undertake it. In fact, it is just because the principles are so simple and so obvious that many persons fail to discover them, and to apprehend in what respect an Aberdeen Industrial School is peculiar and distinct from every other they can name. Such persons constantly remind one of the old story of Columbus and the egg: until he showed how to make it stand, no one could do it; the moment he did it, every one protested that they all along knew it perfectly, and that he had taught them nothing new.

The most effectual mode of explaining the whole system of the Aberdeen schools, both in their principles and their practice, is to give a short narrative of their rise and progress.

The state of the criminal juvenile population in the city of Aberdeen became an object of particular attention in the year 1840. Returns were procured from the records of the various courts of justice—the police and the prisons—which showed that, though this population was numerous, still it was not so great as to appear altogether unmanageable; and it was resolved that an attempt should be made to reclaim them. Hence arose the Aberdeen Schools of Industry.

It was ascertained that in June 1841, there were in Aberdeen 280 children, under fourteen, who maintained themselves professedly by begging, but partly by theft; of whom 77 were committed to prison, during the previous twelve months, for crime of one kind or other. Most of these children went out to beg, on the alleged ground, whether true or false, that they had no other means of procuring their daily food. It was abundantly clear that, while they continued to pursue this mode of life, there was no prospect of their ever becoming useful members of society. To reclaim them—to put their feet, as it were, on the first step to the path of usefulness—it was obvious that any institution which was really to benefit them, must provide them with food—with training in some industrious employment, and instruction, especially religious; for these three things were all required to be furnished to them, in order to have a hope of reclaiming them.

It is manifest mockery to offer a starving child training or instruction, without *first* providing him with food. If you do so, the child feels in his heart that you do not really love him, and no eloquent arguments on the beauty and excellence of your instructions will persuade him that you truly desire to do him

good. There is an unanswerable argument at work within him which admits of no reply but one—you must first supply his bodily need before you can expect him to receive your instructions. It is equal mockery to such a child, who sees no work, no industry at home to teach him, by precept, the advantages of industry and diligence in following out a lawful calling. You speak to him in an unknown language of things which he cannot comprehend. If you intend him to be an industrious member of society, you must train him up in the habits of industrious labour suited to his years; thus availing yourself of that precious principle implanted in us by our Creator, which is implied in the injunction, accompanied by a promise, "Train up a child in the way he should go; and when he is old, he will not depart from it."

To food and training, however, must be added instruction. The first elements of human knowledge must be taught, to raise the little outcast above the beasts that perish. To give him anything like the prospect of equality in the bustling struggle of life, with those whose lot has been cast within the easy reach of these attainments, he must be taught, at least, reading, writing, and arithmetic. Without these he can never rise above the lowest level in society, constituted as that of Britain now is.

Lastly, however, and principally, he must be furnished with ample religious instruction, drawn from the pure source of the Bible alone. It is most true that knowledge is power: but to give godless unsanctified knowledge, is only to increase the power of doing evil on the part of the person so trained. This is true in every rank of life; yet in the middle and higher ranks there are other motives which keep evil in check, and give the semblance of virtue where the reality is wanting; but in the lowest these motives exist not; and if there be not true religion, there is, there can be, nothing but utter profligacy.

The principle on which the Aberdeen Industrial Schools are founded, is to combine these three objects in one and the same institution. And now that the discovery of the manner of doing so has been made, it appears so simple as to be almost no discovery.

In October 1841 a small subscription, under 100*l.*, was collected for the purpose of making the experiment. Rooms sufficiently extensive, but of the humblest description, were hired, and a teacher engaged. Notice was given that such an institution existed, and that poor children who chose would be admitted into it, on application, up to the number of 60, beyond which it did not seem prudent to extend the institution at first—and that there they would receive food and instruction, and be employed in such work as was suited to their years.

The attendance at the school is wholly voluntary; but the child who is absent from morning hours receives no breakfast; absent from the forenoon hours, receives no dinner; and if absent from the afternoon, receives no supper. And, influenced by these attractions, the attendance on the whole is excellent—better than at an ordinary day-school.

The general arrangement of the day is four hours of lessons, five hours of work, and three substantial meals.

The whole produce of the work of the children goes towards defraying the expense of the establishment—thus affecting several important purposes; reducing the expense of the school, and teaching the children practically the value of their industry, in procuring for them food and instruction, and fostering in them, from the first, a sound principle of self-dependence; inasmuch as they know, from the moment of their entering school, that they give (or pay), in return for their food and education, all the work they are capable of performing.

The institution does not profess to clothe the children; but, by the kindness of benevolent persons who take an interest in the school, there is generally a small store of old clothes on hand, from which the most destitute are supplied.

The school was not long in operation before its results began to appear. Those who were in the habit of visiting it were struck by the improvement in the appearance of the pupils. The regular supply of wholesome food soon told on their bodily frames, and the half-starved vagrant children began to assume the aspect of healthy thriving boys. The outward moral change was not less conspicuous; the turbulent unruly urchins were, in a wonderfully short time, converted into tolerably quiet, orderly school-boys. In accomplishing this, much, of course, depended on the teacher, and the committee of management were highly fortunate in the person whom they selected for the important office; and also, in having the effective assistance, from first to last, of the experienced superintendent of the House of Refuge.

The good effects of this school were soon visible beyond its own precincts. The removal of so many youthful beggars from the streets of the city could not fail to attract notice, and the city police authorities reported a perceptible diminution in the number of juvenile offenders.

The following is the daily routine of the school:—The scholars assemble every morning at seven in summer, and eight in winter. The school is opened by reading the Scriptures, praise and prayer, and religious instruction suited to their years; after which, there is a lesson in geography, or the more ordinary facts of natural history, taught by means of maps and prints distributed along the walls of the school-room; two days in the week they have a singing lesson; at nine they breakfast on porridge and milk, and have half-an-hour of play; at ten they again assemble in school, and are employed at work till two; at two o'clock they dine usually on broth, with coarse wheaten bread, but occasionally on potatoes and ox-head soup, &c. The diet is very plain, but nutritious and abundant, and appears to suit the tastes of the pupils completely. It is a pleasing sight to see them assembled, with their youthful appetites sharpened by four hours' work, joining, with outward decorum, in asking God's blessing on the food He has provided for them, and most promptly availing themselves of the signal given to commence their dinner.

From dinner till three, the time is spent in exercise or recreation; from three to four they work; and from four till seven they are instructed in reading, writing, and arithmetic. At seven they have supper of porridge and milk, and, after short religious exercises, they are dismissed to their homes at eight.

On Saturday they do not return to school after dinner; and occasionally, as a reward of good behaviour, they accompany the teacher in a walk to the country or the sea-coast.

On Sunday they assemble at half-past eight for devotion; breakfast at nine; attend worship in the school-room; after which they dine, and return home so as, if possible, to go with their parents to church in the afternoon.

At five they again meet, and have *Sabbath-school* instruction in Bible and Catechism; at seven, supper; and, after evening worship, are dismissed.

From this detail, it will be seen that these schools differ from common day-schools, and also from hospitals.

In day-schools, neither food nor employment is provided; teaching only is given, accompanied by a very small amount of occasional moral training.

The principle on which the industrial school proceeds, of giving employment along with instruction, especially as that employment is designed at the same time, if possible, to teach a trade which may be afterwards available, appears of the highest value. It is a practical discipline, a moral training, the importance of which cannot be over-estimated.

The whole system of the industrial schools is *training;* and those who have watched the progress of a new pupil can never fail to remark it.

A similar practical training, as to common honesty, and respect to the property of their neighbours, is given alike during meals and during work; and, finding that *their own* is duly protected and preserved for them, they are encouraged to respect the rights of others. At first, it was not easy to prevent them interfering both with the food and the working materials of those nearest to them; but gradually they learned by experience that "honesty is the best policy."

The children of these schools having, in general, no example of *industry* shown to them at home, it is a new thing, a new idea to them; and here lay one great difficulty at the outset—it seemed impossible to get them to persevere in their work. By degrees, however, the teacher prevailed; and sooner, perhaps, than could have been expected, work became a pleasure rather than a penance.

The feeding the children is also a peculiar feature in these schools, and it is the part of the system, the value of which is most clearly and distinctly appreciated by the scholars, and, perhaps, by their parents. Industrial schools for a *higher* class may be conducted with all efficiency, without food being furnished to the scholars; but, for the class for whom these schools are intended, it is absolutely essential. In no other way can it be

proved to them that there is an earnest desire to promote their advantage. They want food; it is offered to them, but on the condition that they take the teaching and training along with it: hence the rule, that absence from the work or lessons preceding each meal, unless for sufficient cause, forfeits the succeeding meal.

In the particulars now noticed, these schools differ from ordinary day-schools. They approach to the hospital system in furnishing food, but they differ from it in providing neither clothes nor lodging.

As to clothes, it certainly is worthy of serious consideration, whether parochial boards and unions ought not to be obliged to furnish what is needful.

On the other point, that of furnishing lodging, we have no doubts. The whole hospital system is radically bad; it cannot be improved; it ought to be abolished.

Family ties are the foundation laid by the Creator Himself for the good order of society; whatever tends to break them up—to separate children from their parents, brothers from brothers and sisters—must be evil.

The remarks of the ladies in this fourth Report seem so important and so much to the point, in regard to the effects of the industrial school, on the homes and families of the pupils, of which they have been eye-witnesses, that it is best to give them in their own words. They speak of the school as "demonstrating the great moral fact, that the children of the poor, and, it may be, of the careless and worthless, can, at a small amount of labour and expense, be brought within the sphere of all that is good and estimable and praiseworthy; and without being altogether separated from their parents, made instrumental, in carrying to their homes the saving truths of the Gospel; and by practising the lessons of industry and cleanliness and order, altering the character of these homes, and making them the abodes of social happiness and domestic comfort; proving, that the feature of the industrial school, which many deemed the most objectionable, may, by the Divine blessing, become the one which most enhances its value. For, without breaking the family tie, the child is permitted during the day to receive a sound practical religious education, allowing the parents to pursue without interruption, and without anxiety, their respective avocations, and to carry home at night, for the solace and improvement of the family circle, the influence of the school training, and thus strengthening and confirming the natural affections, without exciting any feelings of dependence or degradation; because, although the child is fed and educated at the expense of the school, she gives in return for these benefits all the labour of which she is capable."

In the last Report of Sheriff Watson's school, presented December 1851, it is stated that the number now attending is seventy-one, of whom fifty-eight are under eleven years of age; and that the total expense per head is 2*l.* 8*s.* 6*d.* per annum—a sum almost incredibly small; and yet, whether the intellectual and religious, or the physical and corporeal improvement of the

pupils be considered, it is most manifest to every visitor that the school is fully and fairly accomplishing the object for which it was established.

In the last Report of the Female Industrial School of Aberdeen for 1851, it is stated that the number of names on the roll was seventy-seven, of whom fifty-two are under eleven years of age—that no fewer than eighteen girls had gone from the school into domestic service, and that they cannot be trained up fast enough to supply the demand. The average total expense is 3*l.* 8*s.* for each.

After the Boys' and the Girls' School had been for some time established, it became evident that they were not adequate to accomplish all that was requisite for the outcast population of Aberdeen. Much as they had done, there was still a portion of the population which they had not reached, or which was not disposed to avail itself of the advantages they provided.

Another institution, in some respects of a lower grade, was required; and the same untiring activity which had devised and carried out the original industrial schools, had now the honour of projecting the necessary addition to them.

The parties for whom the new institution was required were children who either lived by petty depredations on the public, or those who, though not committing any positive crime, supported themselves as beggars, and thus prepared themselves for a life of misery and crime.

The Local Police Act for the city of Aberdeen gives power to put an end to begging in the streets—a most desirable object; but, like many other summary reforms, rendered in part nugatory, by doing only half the work. It provides for putting an end to begging, but it neglects to devise any mode of caring for the beggar, and putting him in the way of maintaining himself; it treats him simply as a great nuisance to the public, to be forthwith put down, but, providing no proper remedy—none at all but punishment—it greatly fails in its object.

It proved, however, a most valuable enactment when private exertion stepped forward to supply that which was defective in the law.

The object proposed by this new school was to put an end to juvenile mendicity, by at once laying hold of the whole of the offenders, under authority of the Police Act, and providing them with food and instruction. When the plan was fully explained to the police authorities, they most judiciously agreed to pay from the funds the expense of the teachers for a time, until the experiment should be fairly tried. The managers of the Soup-kitchen gave the use of their buildings gratis; and the great moral experiment was commenced with only 4*l.* sterling of money collected.

Instructions were given to the police, on the 19th May 1845, to convey every child found begging to the Soup-kitchen; and, in the course of the day, seventy-five were collected, of whom four only could read. The scene which ensued is indescribable.

Confusion and uproar, quarrelling and fighting, language of the most hateful description, and the most determined rebellion against everything like order and regularity, gave the gentlemen engaged in the undertaking of taming them the hardest day's work they had ever encountered in their lives. Still, they so far prevailed that, before night, their authority was comparatively established. On their dismissal they were invited to return next day, informed that they could do so or not as they pleased, and that, if they did, they should be fed and instructed, but that, whether they came or not, begging would not be tolerated. Next day, the *greater part* returned! The managers felt that they had triumphed, and that a great field of moral usefulness was now secured to them.

The children brought to this school were far below those who attended the other two institutions, low as they appeared to be, when the schools were first opened; and the scene of filth, disease, and misery, exhibited, even in the school itself, was such as would speedily have driven from the work all merely sentimental philanthropists. Those who undertake this work must have strong sound principle to influence them, else they will soon turn from it in disgust.

The school went on prosperously, it soon excited public interest, funds flowed in, and, what was most gratifying, the working classes took a lively interest in it; and, while the wealthier inhabitants of Aberdeen contributed during the year about 150*l.* for its support, the working men collected, and handed over to the committee, no less than 250*l.*

Results of Industrial Feeding Schools.

The efficiency of Industrial Feeding Schools, as a means of reclaiming our young outcasts, must be tested by the results they have produced. If a diminution of juvenile vagrancy and crime in Aberdeen have taken place contemporaneously with the establishment of the Industrial Schools, and if it have varied in proportion to the prosperity of the schools, then the proof seems to be conclusive.

Before the opening of the first school, it was ascertained, as has been already stated, that "there were in Aberdeen 280 children under 14 who maintained themselves professedly by begging, but partly by theft, of whom 71 were committed to prison, during the previous twelve months, for crimes of one kind or other."

Since the schools have been in full operation, this class of children has *almost entirely disappeared* from the streets of the city—a juvenile mendicant is almost unknown.

When a beggar child now appears, his career is speedily cut short. He is conveyed to the Child's Asylum, and from thence to the school most suited to his years and circumstances—he is put into the right path, and the public is relieved from his annoying importunities and petty depredations.

The results from the Juvenile Industrial School are peculiarly satisfactory, for its operations are most strictly confined to the

veriest outcasts of the population. The *first* year that school was opened there were many removals and desertions, and of the deserters *six* are known to have been committed to prison; but since the full organisation of the school, *not one* child who has been in attendance there is known to have been in prison or in the hands of the police; that is for a period of five years, from 85 to 105 children have been in constant attendance at this school, and from them *not one recruit* has gone to join the ranks of criminals, although they are the very children who formerly furnished the annual unfailing supply. About *seventy* of the children have been placed in permanent situations, and are now self-sustaining, and reported to be "doing well." At this moment, 115 are on the roll (of whom 95 are under 10 years of age), and all of them are in the course of preparation for a life of honest industry.

To some minds the most convincing proofs of the efficiency of the Industrial Schools are to be drawn from their effects on crime, as shown by the prison returns.

In 1841, the number committed to Aberdeen prison, under twelve years of age, was 61; in 1851, it was reduced to 5.

The results in a financial point of view are equally satisfactory.

It is a fact that we have a large body of juvenile offenders amongst us. We may deal with them in different ways, and at different rates of expenditure, and with very different results.

Contrast the expenditure incurred in punishing a delinquent in prison, with that of training him at one of the Aberdeen Industrial Feeding Schools.

In the one, he costs about 20*l.* a year of direct outlay, besides the 200*l.* a year at which we have calculated his earnings when not in prison, and in too many cases, is left, at the close of his treatment in prison, as bad, if not worse, than at its commencement.

In the other, for an expenditure of three or at most four pounds a year, he is fed, and taught, and trained to industrious habits, and fairly put in the way of earning an honest livelihood, and becoming a valuable member of society.

Ought the public to hesitate which of the two plans to pursue?

It is needless to analyse the reports of the other industrial schools in Scotland, such as those at Perth, Stirling, Greenock, Dumfries, and Stranraer: they are all doing good more or less, according to the energy with which they are conducted.

Lord Shaftesbury has stated the number of neglected juveniles in London at 30,000; others have calculated them at double that number; the larger number is probably the more correct. Here was a field of enterprise, whose extent and deep depravity might well have daunted the hearts of men of less Christian principle than Lord Shaftesbury and his fellow-labourers. They grappled vigorously with their work, and they have been greatly blessed and prospered in it.

The first dawn of the London Ragged School seems to have appeared on a Sabbath evening in April 1838, when a ragged

school was opened in a room almost under the shade of Westminster Abbey. The school was of the humblest description; the pupils as unpromising and as ragged as even London could afford; and yet the labours of the devoted Christian teachers, during a few hours on the Lord's day, unaccompanied by any care or teaching during the rest of the week, soon produced very precious fruit.*

The room was found too small for the numbers who attended, and an old stable was procured, and fitted up for their accommodation, and gradually the Sabbath-school became a day-school; and in ten years upwards of 2,000 children have been educated in it.†

This however was only a teaching school. At no great distance from it, another and far more important establishment afterwards arose—the Old Pye Street Ragged and Industrial School—the model after which most of the London schools have been organised; a model in every way worthy of being copied.

The house was originally a thieves' public-house, of the worst and most infamous description; it remains as it was in every respect, save its filth and its sin; these have been swept away, and in their room we find cleanliness, order, industry, Christian teaching, industrial training, and ample nutritious food. The contrast is perfect—the old den of every abomination converted into a Christian seminary—the rooms formerly occupied by the idle and the profligate, now filled by quiet industrious boys and girls, busily engaged in work and lessons. Future historians of London may yet have to point to this humble spot as deserving to be had in enduring remembrance, as that where the first successful attempt was made to stop the increase of the neglected and dangerous classes of the metropolis.

The number of schools now in operation in London in connexion with the Ragged School Union is 102, of which only a small portion are industrial feeding schools; they are attended by about 15,000 children; they have about 160 paid, and 1,300 unpaid teachers—a noble band, but wholly inadequate, in point of numbers, to the work they have to accomplish.

These results of the industrial feeding school system in various parts of the kingdom, all go to corroborate the experience acquired in Aberdeen. They demonstrate the economy of the plan in every place where they have been established, and they show its effects in reducing crime wherever the necessary criminal statistics have been prepared.

The general results everywhere encourage the hope that a new era is now commenced for our juvenile outcasts; and that for the future, instead of treating them so as only to harden them in crime, they are to be dealt with as a wise and affectionate parent treats his rebellious unpromising child. He does not suddenly cast him off from his care and tenderness because he has once and

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* Ragged School Union Magazine, pp. 11, 12.
† Westminster, Past and Present, pp. 15, 17.

again offended against him; on the contrary, he employs every means which affection and prudence can suggest to win him from his evil propensities, and place him in the right path.

Precisely in the same manner ought the State to treat those of its juvenile members who have barely entered, or are only likely to enter, on a life of crime. Interest and duty alike demand it. The right of the public to punish crime, whether juvenile or adult, is undeniable; but the duty of the public to prevent it is imperative, whether the public has in view its own interests, or those of the juveniles growing up to crime and misery throughout the land.

The wants of destitute children are very obvious: they have no food—no instruction in religion or the common elements of knowledge—no training up in habits of industry—no careful watching over and directing of every feeling and propensity—nothing of what really is *education*.

The Industrial Feeding School provides precisely what they want, and does not give what is hurtful.

It furnishes food—religious and other needful instruction—trains up in habits of honest industry, and watches over the every feeling and propensity—it takes charge of them every day of the week, and all day long, but it does not pamper them, it does not place them in a sphere of life different from that which they have to occupy—and, above all, it does not break down those family ties which the Creator has established, and which cannot be broken or despised with impunity.

The first step to be taken in organising a school is to procure a suitable set of rooms, as nearly as possible in the centre of the population to be benefited by the school. They cannot be too plain and unpretending. The nearer they approach *in style* to the homes of the scholars, the better; and this is compatible with the most scrupulous attention to cleanliness and ventilation. It is right that there should be a marked difference betwixt them and the lowest self-sustaining schools—that in non-essentials they should be visibly of a lower grade. The Old Pye Street school, in Westminster, and the school in Bread Street, Bristol, are in this respect perfect models of what industrial school buildings ought to be, and therefore it is always desirable, at first at least, to hire rather than to build—the school cannot be too like their home in everything but its filth and its sin, its hunger and disorder.

The number of pupils admitted into *one* school ought never to exceed 100. Even 70 to 80 will be found better than 100. Whenever the number at any school amounts to about 100, it is time to be looking out for another school, and another set of teachers.

The food provided should be nutritious—but of the plainest description, nicely prepared, and served up with neatness and cleanliness. That it be nutritious, is needful for the health and growth of the children; its plainness is desirable for economy, and, yet more, in order that it may be such as the children may

most easily earn for themselves by their own exertions after leaving school. That it be served with neatness and the strictest cleanliness is indispensable, for it practically teaches a most important lesson—the child, accustomed for years to have his food at school served up in a slovenly fashion, will not readily establish habits of neatness in his own home. It must be kept steadily in view, that whatever the child sees daily practised at school ought to be such as is proper to become the ordinary rule of his personal conduct in after life.

Regularity of hours is little less important. Everything in the school, food, lessons, work, should be at fixed hours, and punctuality strictly observed. The value of time is little known to our neglected juveniles; accustomed to loiter and lounge about the whole day long, they take little notice of its passing hours, and have no idea of how much may be done in the course of a well-arranged day—but on the practical knowledge of this the prospect of their success in after life very greatly depends.

The rule observed in the Aberdeen schools, of making attendance at work or lessons precede each meal, and be the condition on which alone the food is obtained, ought in no case to be departed from—the reasons are obvious.

The selection of the teachers is a matter of supreme importance. High scholastic acquirements are obviously unnecessary; but common sense, good temper, and great patience, combined with sound Christian principle, are all indispensable, and, in truth, it is often easier to find a ready-made unobjectionable teacher for a classical academy than for an Industrial School.

As to the management of the unruly urchins, the whole secret lies in the application of personal *kindness* to each individual pupil. There are many laws and principles which guide and govern human nature, but of them all, the law of kindness, or of love, is the most universal and the most efficient—none so debased as to be insensible to its operation.

The first step, then, is to make the children feel that the school is intended solely for their good. The food supplied will probably be the first thing to impress the notion upon them; and, once called into existence, the whole management must be such as is calculated to confirm it.

The whole teaching of the school must be based upon the Word of God. The children must learn from the first, that it is given to man as the only rule of faith and practice; and they must see its principles carried out in every department and every detail of the school. With regard to the industrial employments to be established in any school, they must vary in different localities. Thus, net-making, which is the most profitable employment in the Aberdeen schools, would be of no value at a distance from the sea or a large river—there would be no demand for the produce.

Tailoring and shoemaking are everywhere needed; and the knowledge of them, even to a small extent, is of great value to the boy who has to struggle hard for his subsistence, even though

they should not be followed as his trade in after life—it will be a great help to him if he is able to keep his own clothes and shoes in repair, until he attain the ability of employing and paying tradesmen for himself.

The amount of money received at the Boys' School of Industry averages about 1*l.* 15*s.* per head, being a large proportion of their annual cost.

At the Juvenile School, where by far the greater part are under ten years of age, the produce of the work is almost nominal —about 2*s.* 6*d.* per head, and the same is the case with the Girls' Schools. Employment for them is easily provided; but it cannot be made lucrative.

The great object of the industrial part of the system, is *not* the value of the work done, but the implanting and cherishing habits of patient, persevering industry; but if work that is profitable, or work that is to be pursued in after life, can be given, so much the better.

Childhood is not the time for self-sustaining exertions, and to endeavour to make it such, is to act against God's arrangement of human nature and His structure of the human frame—it is the time for preparation, not for action—the time of sowing, not of reaping.

The question naturally occurs, What ought the Government to do? and the reply, founded on the many important statements laid before the Birmingham conference, ought to be—Make one or two slight alterations on the present Criminal Law, give the same assistance to Feeding Industrial Schools as to ordinary schools, deriving aid from the funds at the disposal of the Education Committee of the Privy Council, establish the most vigilant system of inspection, to ascertain the practical working of the schools, and leave all the rest to active, zealous, local exertion.

As to the alterations of the law which are needed, one is, to enable magistrates to suspend sentences for all trivial offences, and empower them to send juveniles to school instead of to prison.

Much has been said on the subject of coercive attendance at school, and there are grave objections to it as a general system; but the experience of Aberdeen proves, that no coercion is required when there are the attractions of a good breakfast and dinner and supper, together with kind treatment all day long, and there seems no reason to suppose that the same influence will not have the same effect in every other place.

The changes we ask on our law are not great, and they are all on the side of mercy.

The pecuniary assistance desired from Government is simply that which is given to other schools through the Committee of Privy Council, an assistance hitherto withheld, it is believed, on two grounds—that the buildings were not sufficiently good, or that the food supplied made them something altogether different from a school, and gave them the character of a poor-house. The suitableness of the schools for the pupils, and the absolute neces-

sity of giving them food, are, it is hoped, now sufficiently established to procure an alteration of the rules hitherto observed.

The inspection of the schools by Government officials is needful alike for the prosperity of the schools and for the satisfaction of the public; the inspection ought to be most strict, and the results carefully scrutinised and published.

Beyond the aid of Privy Council grants, and the appointment of inspectors, Government ought to do nothing—all the rest of the work ought to be left to local energy.

The following EXTRACT is from the REPORT OF THE COMMITTEE OF THE ABERDEEN INDUSTRIAL SCHOOL ASSOCIATION FOR THE MANAGEMENT OF SHERIFF WATSON'S SCHOOL.

Your Committee have much satisfaction in presenting this report. The ten years' test to which the industrial schools have been subjected, seems to have given them a character and position which promise them permanent prosperity and usefulness. There can be no doubt that the juvenile vagrancy and delinquency, which vexed and perplexed the inhabitants, prior to their establishment, have been vastly diminished. The most careless observer cannot fail to notice the change that has taken place in regard to juvenile mendicancy; and the following observations by the governor of the prisons, upon a tabular state of the ages of criminals in his last year's report, are conclusive on the subject of juvenile delinquency. He says—

"Much has been said, and much has been written, about the value and importance of industrial schools; but I venture to say that the above table proclaims more convincingly than the most eloquent speech or essay, that these noble institutions are doing their work, slowly it may be, but effectually. Here we find that only 8 juveniles, not exceeding 12 years of age, were committed to prison during last year (5 of them at Aberdeen, 2 at Peterhead, and 1 at Huntly); whilst in 1841, previous to the establishment of industrial schools, there were no less than 61 such children sent to prison! Surely the most sceptical will admit that there must have been some great cause in operation to produce such a change. And what other cause can be pointed to, but the moral and religious training to which so many children of worthless parents are subjected in these schools? Let all, then, who have the welfare of the community at heart, co-operate in nourishing and extending these institutions; for they may confidently anticipate that the greater the numbers that are brought within their healthful influence, the more certainly will juvenile delinquency be diminished."

The effect of industrial feeding schools for the destitute, in diminishing the great social evils arising from juvenile mendicancy, does not now appear to admit of any question, and the experience of Aberdeen alone would have been sufficient to have demonstrated the fact, but wherever these schools have been

established the same unvarying testimony is afforded; and it may well be said, that to establish an industrial school is to ring the knell to juvenile mendicancy within the district over which its influence extends.

It will probably be recollected that, in May 1845, orders were given to the police to apprehend all children found begging on the streets, and convey them to the soup kitchen school, and that, in the course of one afternoon, no fewer than 75 were apprehended —thus giving a heavy blow and great discouragement to juvenile mendicancy, which, happily, has never been able to raise its head since, although it cannot be said that it has been altogether suppressed.

The police continued to deal in this summary manner with mendicant children till December 1846, when it was deemed expedient to interpose a check between them and the school, to prevent what was very likely to happen—a resort to street begging, in order to enjoy the loaves and fishes of the school. Hence the establishment of the Child's Asylum Committee.

During the first year of its operations, the police brought in 95 children—56 boys and 39 girls; during the second year they brought in 46 children—30 boys and 16 girls; during the third year they brought in 28 children—22 boys and 6 girls; in all, during these three years, 169 children—108 boys and 61 girls.

Before this time it had become evident that juvenile vagrancy had been so much diminished that the industrial schools could not be maintained by the ingatherings of the police, and the committee resolved to receive applications from destitute parents on behalf of their children; and during the first year of its thus acting, applications were made in behalf of 149 children—92 boys and 57 girls; during the second year applications were made in behalf of 135 children—103 boys and 32 girls; during the third year there were applications in behalf of 112 children—82 boys and 30 girls; and during the last year there were applications on behalf of 109 children—88 boys and 21 girls, of whom

54 boys were sent to the boys' school.
42 boys and girls sent to the juvenile school.
2 were referred to the Inspectors of the poor.
10 refused, as improper.

The following is extracted from Mr. KINGSMILL'S Work "CHAPTERS ON PRISONS AND PRISONERS."

About 30,000 individuals, or one-fourth of the whole prison population, in a year return to prison again. The absolute aggregate of these numbers is fearful, and shows the importance of the subject. The proportion is encouraging as demonstrative of a fact too little believed in the willingness of the great majority of criminals to be reformed.

90,000 criminals in a year, whether deterred by the punishment and dread of the law, or really reformed, or influenced by

mixed motives, do, by their own efforts, against extraordinarily great disadvantage, or at best assisted only by their own class in life, the poor (most ready in this work of charity), or their immediate friends, do actually return to a better course of life after legal punishment. Paley states it to be the principal difficulty in this subject, "how to dispose of criminals after their enlargement. By a rule of life, which is, perhaps, too invariably and indiscriminately adhered to," he remarks, "no one will receive a man or woman out of gaol into any service or employment whatever. This is the common misfortune of public punishments, that they preclude the offender from all honest means of future support;" and suggests that "until this inconvenience be remedied, small offences had better perhaps go unpunished. I do not mean that the law should exempt them from punishment, but that private persons should be tender in prosecuting them."

Facts, however, show that the state or society have only to consider how to prevent relapse into crime of 25 per cent. of discharged prisoners. How far present improvements in the penal regulations of the country may effect a diminution of this number remains to be proved. Should they reduce it by one third, or 10,000 in dividuals, it will yet be a glorious result, and worth more than all the trouble and expense lavished, as some would say, upon this object. Should no such result be apparent, it must not be concluded that those improvements have failed in their grand purpose; for the fact that, by those means, as well as by the more general effects of benevolence and Christianity on society, we are only meeting difficulties which are continually, from increase of population and other causes, springing into existence, in the way even of undoubtedly honest and virtuous poverty. That more liberated prisoners are willing to adopt an honest course of life than is generally thought, I am fully persuaded.

It has been proved by experience, even as respects convicts on the very largest scale, not only that the reformat ion of offenders, when transported to a colony in a distant part of the world takes place, if they are preserved in a due proportion of numerical inferiority to the untainted population, but that when so regulated, they constitute the greatest possible addition to the strength, progress, and riches of a colony. From official papers laid before Parliament, before the unhappy crowding of convicts in New South Wales began and the gang system was introduced, it appears that between the years 1800 and 1817, that is in 17 years, out of 17,000 convicts transported to New South Wales, no *less than* 6,000 *had, at the close of the period, obtained their freedom for their good conduct, and had earned among them, by their free labour, property to the amount of* 1,500,000*l*

Is it Christian, is it wise, then, in society not to lend a helping hand, in some way, to those who are willing to be reformed? Admirable are the following sentiments on this point:—

"Respecting the reception of the liberated prisoner again into society," writes the King of Sweden, "a feeling of morality,

degenerated to implacability, ought not to repulse his contrition or suppress his good intentions, but his return to evil must be prevented by his being enabled to obtain honest employment. There is an extensive field for commercial and private exertion. After the law has executed the punishment, and the State has taken care of the inward improvement, it is the business of the citizen to offer a helping hand to the individual restored to freedom. Both charity and prudence urge this; for it is the noblest and safest means of preventing new crimes."

Now that society can really do a great deal in preventing relapse into crime, and that it is the interest, if not the duty of the State, to assist such efforts within reasonable limits, is not a mere question, but a matter of actual observation whenever the experiment has been tried.

It is interesting to observe how much Christianity, even in its more general characteristics of morality and benevolence, but in the hands of earnest, large-minded, and good men, has accomplished in France for the amelioration and improvement of the class referred to in the case of juvenile criminals.

"The institution of Mettray," says Mr. Turner of the Philanthropic, "is governed by directors, chosen at the annual meeting of the members of the Société Paternelle. The directors were formerly two in number, viz. M. Demetz and the Vicomte de Bretegnères; to these gentlemen, however, a third, the Vicomte de Villiers, nephew of M. de Bretignères, has been lately added."

The moral results of Mettray will be best shown by the following statement:—"Since its first establishment in 1839, there have been received 521. The number of present inmates is 348, leaving a remainder of 173 to be accounted for. Of these 173, 17 have died, 12 have been sent back to their prisons for misconduct, and 144 have been placed out in various situations in the world. Of the 144 thus placed out, 7 have relapsed into crime, 9 are of doubtful character, and 128 are conducting themselves to the full satisfaction of the directors, and of the 'patrons' under whose superintendence they have been placed. These figures, as the directors truly say, speak for themselves."

Perhaps the greatest difficulty in the way of the multiplication and success of these establishments would be that which endangers the spread and efficiency of Mettray itself. The improbability of finding many such able agents to carry out their admirable designs as are now assembled at Mettray.

It is a good sign of the increasing interest felt in the reformation of young offenders, that associations now exist in several counties for affording to young and destitute criminals the opportunity and means of reformation. Individuals aided from these sources were mostly sent to the Philanthropic or the Refuge for the Destitute. The magistrates and gentry of Warwickshire have for many years maintained a small reformatory asylum at Stretton-upon-Dunsmoor, which seems to have been of great utility, yet it has been suffered to languish of late years for want of adequate support. It is hoped this will now be extended

to it, when measures for nipping crime in the bud are becoming better appreciated.

The Philanthropic Society of London, removed from its metropolitan locality, now carries out its object on a larger and more improved system than their limited bounds in St. George's Fields and their funds allowed. His Royal Highness Prince Albert, in 1849, laid the first stone of their farm-school for criminal and vagrant boys at Red Hill, Reigate, Surrey. The new school consists of 8 houses, each calculated to accommodate about 60 boys, arranged on either side of a commodious and handsome chapel; thus carrying out the system of domestic management and association, which the society are desirous of introducing into their institution, and which has been adopted with such success at the French School of Reformatory Discipline at Mettray, as well as at Hamburgh and other similar establishments on the continent. Each house is so fitted and arranged as to allow of the "family" of boys contained in it being instructed in cooking and all common domestic occupations as well as in husbandry and gardening, and such mechanical arts as are connected with farm labour. The houses and everything relating to the treatment and accommodation of the boys, are arranged on a studiously economical and simple principle.

The success, so far, has been of the most encouraging character. After their term of discipline and instruction, the inmates are disposed of chiefly by emigration to the colonies. There are now 96 in the school.

In Great Smith Street, Westminster, may be seen an institution of the same object, under the able management of Mr. Nash, formerly of the City Mission, who has given himself to the work of reclaiming criminal boys. To show how much this institution is needed and appreciated, the Committee report that during the last 3 months not less than 40 young men per week have applied for admission, and during the past year there have been upwards of 1,500 voluntary applications, by perhaps the most accomplished thieves and wretched vagrants in the metropolis—all earnestly soliciting, and some even with tears, a share of that bounty so providentially afforded to others; but, from want of funds and large premises, they have been thrown back upon their former course of life. Sometimes they seem nearly broken down with grief when they find they cannot be admitted. And such indeed is the case with those who, by cleverness in their degrading professions, could rob from the public enough to supply all their wants, and to enable them to indulge in their propensities of riot and excess.

During the past year.

142 have been admitted on probation.
36 would not submit to that ordeal.
21 have emigrated to Australia and the United States.
12 have been provided with situations in England.
2 have gone to sea.

2 have enlisted for soldiers.
3 have been restored to their parents.
1 has died.
12 have deen dismissed, after probation, for insubordination.
5 having robbed the institution are now in prison.
3 have been transferred to the Juvenile Refuge, being under 16 years of age.
1 has been transferred to the Philanthropic School, being under 16 years of age.
44 are now in the institution, their ages varying from 16 to 26 years.

The probation is a fortnight's voluntary imprisonment on bread and water in a comfortless room!

I rarely ever witnessed a more affecting scene than upon a visit to this establishment, when, having expressed a wish to address and pray with the inmates, they were called together for the purpose, and stood around me, first singing the appropriate anthem—"I will arise and go to my Father," then listening to my exhortation and joining heartily in responses to the prayer. The thought of what they had been, and what inevitably they must have come to only for this timely Christian help, came very forcibly to my mind.

During the absence of the Governor for a few weeks last summer—rendered necessary for his health—these 40 thieves were left wholly to themselves, one of their number acting as temporary superintendent. They did not disappoint the expectations entertained of them. They wrought most diligently at their trades of printing, carpentery, shoemaking, and tailoring, and conducted themselves in every respect in the most proper and orderly manner.

Such schools of recovery, then, are facts, not experiments, and show to demonstration how much may be done, at very little cost, for prevention of crime in the already lapsed, under wise and Christian influence. It is to be hoped that they will be multiplied, rather than a few excessively enlarged, that is, beyond the personal control of one energetic Christian mind. Ten men like Mr. Nash, with a family each of some 70 or 80 criminal youths, in Lambeth, Whitechapel, Clerkenwell, and such localities, would sensibly tell upon this dangerous class of the metropolis, in the diminution of crime.

A small institution of a similar kind, for females, was begun in 1850 by Mr. John Vanderkiste and Lieut. John Blackmore, R.N., in Camden Town, which, like the last, is under the patronage of the Earl of Shaftesbury. The matrons govern by kindness and love, relying entirely on the Gospel of Christ for effecting a change in the hearts and lives of those who are committed to their care.

The objects contemplated in opening it were as follows:—

To receive from the streets immediately females who were willing to reform; also, destitute females discharged from prisons, and special cases of distress.

To communicate with, and, if possible, restore them to their friends, and, when necessary, pay their expenses home.

When very ill, to procure admission into hospitals, or in cases of slight illness, medical attendance in the institution.

To qualify the inmates (after going through a probation to test their sincerity) by imparting a knowledge of domestic duties, also, teaching them reading, writing, and needlework for taking situations as household servants, &c., or when it is the wish of any to emigrate, using every endeavour to accomplish that object.

76 poor girls have been admitted, out of whom 1 has been married, 22 sent to situations, 8 returned to their friends, 2 emigrated, 2 died trusting in the Lord, 5 sent to asylums, 2 to their parishes, 20 left at own request, dismissed, and otherwise, leaving 14 in the house at the present time.

Numbers of poor sinners are begging, some with tears, to be admitted, that they may escape from their evil and wretched life; it is truly heartrending to turn them away for want of pecuniary help.

In establishing new institutions of this kind, let not the old be forgotten nor suffered to languish. There are many of the most admirable character in our metropolis and elsewhere in the country, which only need to be inspected by the benevolent to engage their best support.

I have myself visited, with great satisfaction, several of those Bethesdas in London, and can bear my humble testimony to their exceeding great value, and to the manifest blessing of the Most High resting upon them: the Refuge for the Destitute, Dalston; the Asylum for Destitute Females, Manor Hall, Little Chelsea; the School of Discipline for Female Children, Queen's Road, Chelsea. One visit less to the opera in a season, and one visit more to any of these institutions, with the cost of the amusement, as a donation, by a part of the fashionable world, would place them all in a flourishing financial position, and leave a more pleasant, and, unquestionably a more beneficial impression on the heart. One entertainment less in the year, in a rich man's house, would support, and place under Christian influence, tens, or even hundreds, of his hopeless fellow-creatures, who, if not taken by the hand at the critical moment of remorse or penitence, must sink irrecoverably into the depths of vice and misery, yea, into eternal perdition.

During the 44 years that the Refuge for the Destitute has been in operation, nearly 3,500 young women have experienced its advantage, besides about 3,000 youths maintained and provided for by the male branch, *just discontinued in consequence of the withdrawal of the Government grant.*

For about the same period, supported altogether by voluntary help, the London Female Penitentiary, Pentonville, has sheltered 3,175, nearly 2,000 of whom have been placed out in service, reconciled, and restored to their friends, or otherwise satisfactorily disposed of.

Mr. Thomas Wright, of Manchester, has shown, by his own example, how much may be accomplished in preventing relapse into crime by the earnest and benevolent zeal even of an individual,

without the authority of office, the dignity of high rank, or more than ordinary means.

This gentleman stated before Lord Brougham's Committee in 1847, that he had been in the habit of visiting Salford Prison every Lord's Day for the last 9 years for the purpose of imparting religious instruction, and that he had been instrumental in procuring situations for upwards of 150 prisoners after their discharge, becoming personally responsible in certain cases for their rectitude by way of surety; of these 150 he had heard of one solitary case of relapse.

REMARKS of M. BÉRENGER, on CRIMINAL and DESTITUTE CHILDREN, extracted from his "Rapport fait à L'Académie des Sciences Morales et Politiques."

The number of children who are sentenced to different terms of imprisonment in the United Kingdom is considerable, and is more than double what it is in France. Perhaps, however, the incitements of crime are also more numerous in England than with us. The congregating of labourers in great towns such as London, Manchester, Liverpool, and others; the necessity that the parents are under of abandoning their children and letting them wander about while they are at their work; the insufficiency of establishments destined to supply the care of parents, are so many causes which help to increase the number of juvenile delinquents.

It is painful, in an immense town like London, to see in close contiguity to magnificent neighbourhoods, where everything announces the splendour of a great nation, which are frequented by a well-dressed population, and the external appearance of which is indicative of luxury, other neighbourhoods composed of narrow and infected streets, crowded with miserable, ragged, and sickly inhabitants, where swarms of children almost entirely deprived of clothing are moving about, abandoned to themselves and exposed to the demoralizing effects of the most disorderly licence.

In such neighbourhoods, as in those of most large towns, are penny theatres, where for twenty of our centimes admission may be had to the most immoral representations. The children, particularly eager for these plays, contrive all sorts of ways by which they may steal or obtain the penny necessary to pay for their entrance; they either rob their parents or they beg, and it is thus that very early they begin a life of irregularity which perverts their moral feeling and by degrees leads them into vice and makes them amenable to justice.

There are more than a hundred of these penny theatres in London, at least forty in Liverpool, and more or less in the other large towns. By the efforts of benevolent persons, schools for poor children, which have received the name of ragged schools, have been set on foot and are beginning to do some good, but at most only a tenth part of these children can be admitted, and the others continue to live in the most absolute ignorance and in the greatest degradation. Besides this, the national parish schools

are only open for five hours during four days of the week, and but three hours the other two days. Thus there is a great deal of idle time for the school children, and this time is mischievously employed. Formerly nine years was about the age at which a child might be declared guilty of felony, so that, up to that age, whatever crime he might have committed, he was constantly restored to liberty; it frequently happens, therefore, that a boy when he becomes of an age to receive sentence has previously been taken up several times and has remained a longer or shorter time in confinement, associated with other criminals; thus it was that in England a criminal education was supplied for this younger class of delinquents. At the present time children, even under nine years old, may be sentenced to transportation, and this is done with the benevolent intention of their being sent to Parkhurst prison, of which we shall soon give an account.

The number of children sentenced to different terms of imprisonment annually may be taken at about 5,000 in the United Kingdom. If a certain diminution in their numbers, as compared with former times is remarked, it is only an apparent one, attributable to the effects of a recent statute, which authorizes magistrates summarily to punish for simple robberies children of fourteen years and under, and these sentences do not appear on the criminal tables in which they were formerly included. In France the condemnations of every kind of individual under sixteen years (taken from the tables of 1847) were only 2,807, namely, 2,398 boys and 409 girls, which is a little more than half those of England. It is worthy of remark also, that the re-committals of juvenile offenders in England are double that of adults. A distinction is made between those under twelve years old and those who are fourteen or fifteen. In the former, predisposition to evil is, as it were, in the bud; it developes itself in the latter in a very remarkable manner; it proceeds, in them, to deliberate acts, having both motives and objects.

It has been remarked that, in general, the period of youth seems hardly to exist in the life of a criminal—or, at all events, it is not perceived. The individual seems to pass all at once from infancy to a precocious virility; that is to say, to an active and deliberate perversity of mind and heart. This remark is not without foundation. Let us imagine, for instance, children abandoned by their parents from their very infancy, delivered up to their own evil instincts, struggling with the necessity of providing for their own wants, pleasures, and appetites, which are for the most part of a depraved nature. It is almost impossible to conceive all the intelligence, cunning, and boldness required to procure their daily food, nightly shelter, and the means of admission into places where they can feast their imagination on scenes which keep it in activity, for exciting the pity of the public, for eluding the vigilance of the police, who are on the watch for them, and for the commission of a multitude of petty thefts, against which the inhabitants are not sufficiently on their guard. Although the number of young offenders in England is double that of France

it is admitted that the children of the destitute classes in England are by no means so precocious in intelligence and action as the corresponding part of the French population.

Whatever may be the difference in natural character both readily acknowledge the necessity of taking some charge of these children, of availing themselves of the different aptitudes for the purpose of giving them a better direction, of instilling in them—through feelings of religion, hitherto unknown to the greater part, but now to be awakened in them—notions of right and wrong, and, by bringing them into habits of order and activity, of turning those powers and resources to a good end, which they have hitherto used only for their own perversion.

But to succeed in this it is acknowledged, in England as well as with us, that short imprisonments are ineffectual;—time and a rigid perseverance are requisite to produce good results. This inefficacy has been demonstrated by a recent inquiry, by which it has been proved, that at the house of correction at Bath, for example, 55 children who were discharged in 1844 were, between that and 1849, a period of 6 years, retaken 207 times; that 46 were, in 5 years, taken up 145 times; that the same number imprisoned in 1847 had been in confinement 115 times in 2 years. For some time, therefore, it has been the practice to sentence children to longer punishments. These punishments, which are imprisonment and transportation, are often combined with flogging; sometimes, also, but for very trifling offences, flogging is inflicted without the addition of any other punishment.

Flogging.

Opinions vary in England as to the efficacy of this kind of punishment, as regards children. Some think that it blunts and weakens the moral sense, that it humiliates and degrades; and, on that account, is revolting to the feelings of him who suffers, and serves to harden him. Others believe, on the contrary, that, in producing bodily pain, flogging impresses a lasting fear, which, presenting itself to their minds every time they are tempted to yield to a new fault, debars them from committing it. It is, however, certain that among the several establishments that we have visited we have been assured that there are few examples of a prisoner, child or adult, who, having once been subject to this chastisement, has ever exposed himself to it a second time.

It must, also, be remarked that in England the disgrace which we in France attach to the infliction of this punishment is not felt to the same degree; it is also in common use in schools. There is not a distinguished person in the United Kingdom who does not acknowledge having been subject to this mode of correction in his youth; it is also practised in the army and navy, and that repugnance is not felt towards it, which, with us, makes it impossible to keep up the practice of it.

The punishment of imprisonment inflicted upon young offenders undergoes in England the same variations as that of adults,

according as the prisons are under the immediate authority of the Government, or under that of town or country authorities. The separate system and the associated one, with or without silence, with or without labour, are employed, but not uniformly. Sentences of transportation are, as in the case of adults, never for less than 7 years, and children, as we have already said, may be thus sentenced even before they are 9 years old.

EXTRACTS from the REPORT of the SPECIAL COMMITTEE appointed by the NATIONAL ASSEMBLY of FRANCE TO CONSIDER the TREATMENT OF JUVENILE OFFENDERS; translated by Mr. GLADSTONE.

The number of unfortunate children who are driven at an early age by misery, by vicious parents, or by their own bad dispositions, to begging, vagrancy, disorder, violence, or theft, as a means of livelihood, is unhappily very great. Thousands of these young offenders are confined within our *maisons d'arrêt* and our *maisons centrales.**

The maisons d'arrêt receive, first, such children as are sent, by way of correction, at the request of the parents, in virtue of articles 376 and 377 of the civil code, for an imprisonment which must not exceed six months.† Secondly, therein are confined such children under sixteen years of age as are on remand from the correctional courts, awaiting either their summary conviction or their committal for trial at the courts of assize. And, thirdly, such children as are already condemned to an imprisonment that does not exceed one year.

The *maisons de justice*, established in the chief towns, receive such children as are accused of crime, and who are sent for trial before the courts of assize.

Finally, the *maisons centrales* receive and detain within their walls—

Firstly, children under sixteen years of age acquitted as having acted "*sans discernement*" (as being, that is, ignorant of right and wrong), but sent, in virtue of the 66th article of the penal code, to a house of correction, there to be detained and educated during a certain number of years.

Secondly, such children under sixteen years of age who are found guilty as having acted "*avec discernement*" (as having offended, that is, knowingly and wilfully), and who are sentenced to more than one year's imprisonment.

As regards these children thus deprived of their liberty, the state is substituted by the law for the parent; it is not merely, as regards them, the power which enforces the law, but it becomes invested with a real guardianship. It has taken upon itself not only to keep these children, and then to return them to society void as

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* Our houses of detention and of correction.

† Articles 376 and 377 of the civil code authorize a judge, upon the request of the parents, to issue a warrant to apprehend children under sixteen, and to put them in prison for a term not exceeding six months. See note A, at end of Report.

they may be of education, and every intellectual and moral resource. No; its mission is more serious—it is necessary that it should educate them, and endeavour to reform their vicious dispositions, and to prepare them for a better course of life.

It is essential that they should be constantly employed at such work as will develope and strengthen their physical powers, and lessen the intensity of their passions; and that their employments should be such as will best prepare them for after life, both as to their personal wants and their social relations.

Finally, it is a duty incumbent on the state, which has been substituted for the parent, to extend its paternal care to those children after their liberation, when without the walls of their prison, else all the result of the corrective education which society has sought to give the child will be too often lost. These are the duties of the state; but if we compare with them what is really done, we must acknowledge that they are but indifferently fulfilled.

The penal code had in view the organization of a distinct system of discipline for these young offenders: whether they are condemned, or acquitted as having acted "sans discernement," it is still to the house of *correction* they are sent, in the former case to undergo a term of imprisonment of a more or less duration, and in the latter to be educated for a fixed period. A strong sense of the duties accompanying the relation of a guardian clearly influenced the legislator of 1810, and suggested to him the very arrangements of the 66th article of the penal code.

In reality there does not exist a true house of *correction;* a corrective education is not really given. The children are merely subjected to the prison discipline, and are not educated. On the other hand, a too narrow economy has made questions of justice and high social interest subordinate to a question of money; for, as the maisons d'arrêt and centrales always existed, there was a saving of money in not building new ones, and in not creating a distinct system of management for juvenile offenders under sentence of detention. These children were, therefore, simply sent to the maisons d'arrêt and centrales to undergo the usual routine of the prison discipline of those gaols, no distinction being made in the treatment they receive from that applied to adults.

Finally, by the present system, as applied to those unfortunate children under sixteen years, it is not obligatory for the government to take any care of them on their discharge from prison. On their liberation, a few clothes are given them, a trifle to help them on the road, and the portion of their earnings which the law entitles them to—and the government has done with them.

Thus are they thrown on a world to which they have for some years been strangers, without the guidance of a home or friends, a prey to the temptations of those who surround them. Does not this explain how so many of these wretched children are unable to re-enter honest society, and are lost for ever?

The defects of the regulations now in force in these prisons,

particularly as applied to juvenile offenders, had struck the government itself, and several laudable efforts have been made to improve them.

In 1839 two devoted philanthropists, Messrs. de Courteilles and Demetz, sought in another way the solution of this problem. They founded at Mettray, near Tours, a colony of young prisoners with a view of placing them as it were once more under the paternal roof, and of educating them morally and religiously in the labours and habits of country life.

The government at once understood the great benefits that would result from this new idea, and encouraged the establishment at Mettray, and sent to it a number of children. Very soon, when the example of Mettray had been imitated elsewhere, the government extended its support to these new establishments, and at this time there are about 2,000 young prisoners in agricultural colonies, founded by private individuals. The government allows seventy centimes (7*d.*) per diem for each prisoner, and a further seventy francs (3*l.*) for their clothing for two successive years, which makes each prisoner cost the government about 80 centimes (8*d.*) per diem. This shows that the government acknowledges the defects of the system of correction adopted in the prisons of the state, that it has not confidence in its own establishments; it seeks the aid of private ones even at considerable sacrifices. Indeed it has done more, it has transferred the power which the law had given to the state alone to keep and educate these children, to those private institutions. This alone would remove all doubt, if any still existed.

Under these circumstances, it is time that the legislature should interfere; it is time to recognize by law the system of corrective education and guardianship which the generous efforts of a few good citizens have initiated, and but of which only a few of our young prisoners have as yet the benefit.

It does not enter within the scope of this Report to enumerate in detail the various elements of Mettray. Our duty is simply to state, that in the opinion of all the best observers who have visited it, whether foreigners or Frenchmen, an opinion in which from our own personal observation and experience we entirely concur, the problem of the reformation of juvenile offenders by agricultural labour, under a strict system of discipline and kindness, is completely solved.

Five hundred children sent from the maisons centrales are brought up at Mettray. They need no military force, nor even walls, to keep them within its bounds, and it is seldom a boy runs away. Divided into families of forty, under the direction of a chief appointed to each division, and under the protection of an elder brother elected by themselves, they are subjected to a paternal kind of discipline, which by the twofold action of honour and religion tends to awaken in their souls good thoughts and generous emotions, and, with the exception of a short time which is reserved for their elementary instruction, they are employed throughout the day at the various labours of the farm, such as the

care of the cattle and implements, gardening, the improving of the soil, the trenching and cleaning the land, the harvest, &c. Their mode of life is hardy, but not too fatiguing. It gives them health, strong constitutions, and in most cases cures them of those diseases with which they had been tainted from their birth.

When the period of their liberation has arrived, they are sought for by the proprietors and farmers of the neighbourhood. The authorities of Mettray find much facility in placing them : the greater number get employment as farm-servants, carmen, gardeners, &c., &c. ; and those who have been taught the trades particularly connected with agriculture are placed in the villages as wheelwrights, smiths, carpenters, &c. &c.

Finally, a number of them become soldiers or sailors, and are known to have served with honour. In the beginning of 1848 there were 101 in the army, and 22 in the navy.

The founders of Mettray were alive to the effect the sudden transition from a penitentiary life to one of freedom must produce on the youths ; for at this moment they would stand most in need of help and advice.

Thus the authorities of Mettray extend their protection over them throughout this time of trial ; and if, perchance, they are out of work, sick, or borne down by poverty, the colony is always open to them, as their home—an asylum of comfort and help.

True it is that at Mettray some have been found whose stubborn disposition the discipline of the colony could neither conquer nor soften. Many of these youths on being placed out have committed fresh crimes, and incurred the rigour of the law ; but the proportion is indeed trifling, and does not exceed 5 per cent.

The experiment so successfully made at Mettray has equally succeeded in the other private establishments of the like kind that receive the help and approbation of government : everywhere, independently of the particular method of education pursued, out-door life and agricultural employment have had a happy influence on the moral feeling and the docility of the young prisoners.

To sum up, being convinced from our inquiry into all the facts, and the agreement of the results from every quarter, the committee does not hesitate to give its opinion in favour of the agricultural penitentiary system, as applied to young offenders ; and concludes that the division of these children into small numbers, and the employment of their time in agriculture under firm, religious, and benevolent treatment, is the most certain mode of regenerating them.

It now remains to ascertain whether the Government should take under its charge the establishing and maintaining these penitentiary colonies, which the system adopted by the Committee will require, or if it prefers to encourage and aid, by grants of money, private institutions founded by benevolent individuals.

In justice to the interest of the children who are in the houses of correction, it is imperative that a distinction be made between

those unfortunate children arrested for trifling faults, and those young prisoners of precocious depravity who have sometimes been guilty of murder, incendiarism, and the like—such, in fact, as are in general condemned by the courts of assize to an imprisonment of several years; and the Committee think it important for the not casting a moral disgrace upon the reformatory colony, and for the not exposing children of better character to dangerous associations, that those who are condemned for more than two years should be imprisoned in special establishments.

On the other hand, in the number detained in our penitentiary colonies, there will be of necessity a mixture of bad characters, on whose tempers no salutary treatment has effect; for those, more severe measures must be enforced, and they must be separated from a family of which they would endanger the peace and happiness by their bad example. To attain that object the Committee proposes, for the benefit of both classes of these offenders, to found in Algeria one or more correctional colonies, where, under a more strict discipline, and far from their country and homes, such of these offenders should be sent whose moral reformation should require a stricter treatment.

In the first place, they would have to undergo an imprisonment of six months; would then be set to works of husbandry. When they are liberated, inured to the climate, and accustomed to the culture of the African soil, they might find in that country employment for their labour, and their practical knowledge at once profitable to themselves and useful to the colony.

Such, gentlemen, is the spirit in which the measure which we propose for the benefit of juvenile prisoners, and which we now beg to submit to your consideration, has been framed.

It is a most essential object of public aid and foresight to assist the poor abandoned children who have been enticed to take the first steps in crime; to prepare them to re-enter life with their minds free from all the vicious inclinations that would ultimately cause their ruin; to restore them also to society as honest and industrious farm-servants, instead of sending them back again to crowded cities, ready as they are to wage war against society and the law. In the limits assigned to us, the moral education, the great object of protecting and reforming of these young offenders, quite supersedes the question of their mere repression. *It is beyond this that the penitentiary system commences.*

The proposed Law.

Article I.—In each department of France the protection of juvenile offenders shall be undertaken by the State: such protection shall be applicable,—

1. To minors imprisoned correctionally at the request of their parents, by virtue of Articles 376 and 377 of the "Code Civil."

2. To young prisoners having been acquitted by virtue of Article 66 of the "Code Pénal," as having acted "sans discernement," without knowledge of right and wrong.

3. To young prisoners condemned by virtue of Articles 67, 68, and 69 of "Code Pénal."

Article II.—This protection consists in sheltering these young offenders from dangerous associates, either during their provisional imprisonment, or during their stay in the penitentiary institution; in taking care that they are instructed religiously, morally, and in some art or calling; and in affording them when liberated the protection of the State during a space of three years at least.

Article III.—A distinct part of the "maison d'arrêt" shall be allotted for the keeping of these young offenders of all grades.

They are to live together, under the rules of the silent system: means are to be enforced for their elementary instruction, and also to provide for their manual labour; at night they are to be kept separate.

Article IV.—Young offenders sentenced to an imprisonment of more than six months and not exceeding two years, and young offenders acquitted as having been guilty, but as having acted "without discernment," are to be sent to a penitentiary colony; there to be brought up in association under strict rules of discipline, being employed in works of husbandry, and in the branches of industry connected with it. They are also to receive elementary instruction.

Article V.—The penitentiary colonies shall be either public or private establishments. The public ones shall be such as are founded by Government, and of which it appoints the directors. The private ones shall be those founded and regulated by private individuals, under the sanction of Government.

Article VI.—During the two years after the publication of this law, such individuals or societies as may be willing to establish penitentiary colonies for young offenders shall apply formally to the Minister of the Interior for his authorization, producing the plans, statutes, regulations, and other required documents.

The Minister shall be enabled to contract with such of these establishments as are authorized for the care and the instruction of a fixed number of young prisoners.

If, at the expiration of the two years, the whole number of these young offenders have not been placed in private establishments, then other colonies for that purpose shall be established at the expense of Government.

Article X.—On the Algerian territory will be established one or more correctional colonies for the reception,—

1. Of such young offenders as are sentenced to an imprisonment of more than two years.

2. Of those whose insubordinate disposition requires their removal from the colony in France.

This declaration is to be made, on the proposal of the director, by the "Conseil de Surveillance," and submitted for the approbation of the Minister of the Interior.

Article XI.—The young offenders in the correctional colonies will be, during the first six months, subject to imprisonment with solitary confinement during the night, will be under the silent system, and be employed in sedentary occupations.

After this lapse of time the directors may, if their conduct be good, admit them to the agricultural pursuits carried on in the colony.

Article XIX.—All expenditure attending the formation and the keep of the correctional colonies, and all such-like establishments serving for the use of the penitentiary system, and all pecuniary grants for private establishments in which are kept young offenders, shall be borne by the state.

NOTE A.—The following are the Articles of the Penal and Civil Codes referred to in the Report :—

"Code Pénal, Article 66.—'Lorsque l'accusé aura moins de 16 ans, s'il est decidé qu'il a agi sans discernement, il sera acquitté ; mais il sera, selon les circonstances, remis à ses parents, ou conduit dans une maison de correction, pour y être élevé, et détenu pendant un temps déterminé par le jugement, et que toutefois il ne pourra excéder l'époque où il aura accompli sa vingtième année.'

"Code Civil, Article 376.—'Si l'enfant est âgé de moins de 16 ans commencés, le père pourra le faire détenu pendant un temps qui ne pourra excéder un mois ; à cette effet le président du tribunal d'arrondissement dévra sur sa demande délivrer l'ordre d'arrestation.'

"Code Civil, Article 377.—'Depuis l'âge de 16 ans commencés jusqu'à la majorité, ou l'émancipation, le père pourra seulement réquerir la détention de son enfant pendant six mois au plus : il s'adressera au président du dit tribunal, qui, après en avoir conféré avec le procureur du roi, délivrera ou refusera l'ordre de l'arrestation ; et pourra dans le premier cas abréger le temps de la détention requis par le père.'"*

* Rapport fait à l'Académie des Sciences Morales et Politiques, par M. Bérenger, Membre de l'Institute, President de la Cour de Cassation.

COMPARATIVE ABSTRACT of the Estimates for the Maintenance of the CONVICT PRISONS for the Years 1851–52 and 1852–53, showing the Amount under each head of Service, the Number of Prisoners, and the Cost per head.

HEADS OF SERVICE.	MILLBANK. 1,300 Prisoners 1851–2. 1,300 „ 1852–3.				PARKHURST. 580 Prisoners 1851–52. 625 „ 1852–53.				PENTONVILLE. 570 Prisoners 1851–52. 561 „ 1852–53.				PORTLAND. 840 Prisoners 1851–52. 840 „ 1852–53.				HULK ESTABLISHMENT. 1,800 Prisoners 1851–52. 1,280 „ 1852–53.				DARTMOOR PRISON, and Invalid Depôts. 1,100 Prisoners 1851–52. 1,300 „ 1852–53.				PORTSMOUTH. First year of occupation. 1,020 Prisoners.			SUMMARY. 6,190 Prisoners 1851–52. 6,926 „ 1852–53.			
	1851–52.			1852–53.	1851–52.			1852–53.	1851–52.			1852–53.	1851–52.			1852–53.	1851–52.			1852–53.	1851–52.			1852–53.	1851–52.			1852–53.	1851–52.			1852–53.			
	£	s.	d.	£ s. d.	£	s.	d.	£ s. d.	£	s.	d.	£ s. d.	£	s.	d.	£ s. d.	£	s.	d.	£ s. d.	£	s.	d.	£ s. d.	£	s.	d.	£ s. d.	£	s.	d.	£ s. d.	£	s.	d.	£ s. d.
Salaries of principal officers and clerks	4,674	15	0	4,444 0 0	2,422	10	0	2,475 0 0	2,442	10	0	2,480 0 0	2,397	0	0	2,476 10 0	5,742	10	0	3,725 0 0	3,100	0	0	2,685 0 0	2,425	0	0	20,779 5 0				20,710 10 0
Cost per prisoner	3	11	11	3 8 4	4	3	6	3 19 2	4	5	9	4 8 4	2	17	1	2 17 9	3	0	10	2 18 1	2	16	4	2 1 0	2	7	7	3 7 1				2 19 9
Wages of inferior officers and servants	6,456	6	2	6,622 0 0	2,047	5	0	2,281 8 9	1,514	12	0	1,723 14 0	4,291	9	0	4,654 15 0	9,014	10	0	6,165 15 0	5,800	0	0	7,022 10 0	4,949	0	0	29,124 2 2				33,419 2 9
Cost per prisoner	4	19	4	5 1 10	3	10	7	3 13 1	2	13	2	3 1 5	5	2	2	5 10 10	5	0	2	4 17 0	5	5	5	5 8 0	4	17	0	4 14 1				4 16 7
Salaries and wages of manufacturing or labour department	2,635	4	0	2,638 14 0	717	18	0	694 8 0	1,884	0	0	1,835 14 0	571	14	0	659 9 0	-	-		- -				630 0 0				654 8 0				497 17 0				6,438 16 0				6,980 10 0
Cost per prisoner	2	0	7	2 0 7	1	4	9	1 2 2	3	6	1	3 5 6		13	7	14 2	-	-		- -		11	5	9 3		9	9	1 0 10				1 0 2
Total amount of salaries	13,766	5	2	13,704 14 0	5,187	13	0	5,450 16 9	5,841	2	0	6,039 8 0	7,260	3	0	7,790 14 0	14,757	0	0	9,890 15 0	9,530	0	0	10,361 18 0	7,871	17	0	56,342 3 0				61,110 2 9
Total cost per prisoner																												9 2 0				8 16 5
Rations for officers, and allowances in lieu thereof	1,341	18	0	1,384 10 0	376	3	6	396 0 0	367	10	0	441 0 0	880	0	0	739 10 0	1,969	0	0	1,240 0 0	970	0	0	1,419 0 0	900	0	0	5,904 11 6				6,520 0 0
Cost per prisoner	1	0	8	1 1 3		13	0	12 8		12	11	15 8	1	0	11	17 7	1	2	9	19 5		17	8	1 1 10		17	8	19 1				18 10
Uniforms for officers and servants	60	0	0	70 0 0	25	0	0	115 0 0	80	0	0	80 0 0	150	0	0	160 0 0	400	0	0	280 0 0	310	0	0	460 0 0	250	0	0	1,025 0 0				1,355 0 0
Cost per prisoner			11	1 1			10	3 8		2	9	3 8		3	7	2 4		4	5	4 5		5	7	7 1		4	10	3 4				3 11
Victualling prisoners	9,450	0	0	7,600 0 0	3,509	0	0	3,750 0 0	4,560	0	0	3,927 0 0	6,930	0	0	6,300 0 0	14,400	0	0	10,540 0 0	10,010	0	0	10,213 0 0	7,905	0	0	48,859 0 0				50,235 0 0
Cost per prisoner																												7 17 10				7 5 0
Clothing prisoners	2,550	0	0	2,550 0 0	1,218	0	0	1,109 7 6	1,097	5	0	1,065 18 0	2,457	0	0	2,520 0 0	3,420	0	0	2,880 0 0	2,007	10	0	4,095 0 0	2,244	0	0	12,749 15 0				16,464 5 6
Cost per prisoner																												2 1 2				2 7 6
Bedding prisoners	520	0	0	325 0 0	296	0	0	104 3 4	206	12	6	112 4 0	108	10	0	168 0 0	1,350	0	0	448 0 0	770	0	0	650 0 0	714	0	0	3,251 2 6				2,521 7 4
Cost per prisoner		8	0	5 0		10	3	3 4		7	3	4 0		2	7	2 0		15	0	7 0		14	0	10 0		14	8	10 6				7 3
Medicines, surgical instruments, &c.	500	0	0	350 0 0	100	0	0	80 0 0	110	0	0	100 0 0	110	0	0	120 0 0	400	0	0	700 0 0	630	0	0	400 0 0	140	0	0	1,850 0 0				1,890 0 0
Cost per prisoner		7	9	5 5			3	5 2 7		3	10	3 7		2	7	2 10		4	5	11 0		11	5	6 2		2	9	5 11				5 5
Medical comforts (extras for the sick)	300	0	0	500 0 0	75	0	0	80 0 0	280	0	0	290 0 0	150	0	0	150 0 0	500	0	0	750 0 0	700	0	0	800 0 0	180	0	0	2,005 0 0				2,750 0 0
Cost per prisoner		4	7	7 8			2	7 2 7		9	10	10 4		3	7	3 7		5	7	11 9		12	9	12 3		3	6	6 6				7 10
Clothing and travelling expenses of prisoners on liberation	50	0	0	30 0 0	75		0	10 0 0	50	0	0	20 0 0	50	0	0	10 0 0	200	0	0	20 0 0	180	0	0	- -	50	0	0	600 0 0				140 0 0
Cost per prisoner			9	6		2	5	4		1	9	9		1	2	3		2	2	4		3	3	10				1 11				5
Furniture and fittings	250	0	0	- -	200	0	0	150 0 0	80	0	0	60 0 0	100	0	0	30 0 0	150	0	0	300 0 0	1,000	0	0	750 0 0	1,000	0	0	1,780 0 0				2,290 0 0
Cost per prisoner		3	10	- -		6	10	4 9		2	10	2 1		2	4	1 9		1	8	4 8		18	2	11 6		19	6	5 9				6 7
Kitchen utensils, crockery, cutlery, &c.	-	-		150 0 0	100	0	0	50 0 0	70	0	0	70 0 0	50	0	0	60 0 0	150	0	0	70 0 0	150	0	0	150 0 0	150	0	0	520 0 0				700 0 0
Cost per prisoner	-	-		2 3		3	5	1 6		2	5	2 6		1	2	1 5		1	8	1 1		2	9	2 3		2	11	1 8				2 0
Fuel and light for general purposes	2,200	0	0	2,500 0 0	590	0	0	500 0 0	1,080	0	0	900 0 0	900	0	0	800 0 0	600	0	0	650 0 0	975	0	0	1,600 0 0	1,200	0	0	6,345 0 0				8,150 0 0
Cost per prisoner	1	13	10	1 18 5	1	0	4	16 0	1	17	11	1 12 0	1	1	5	19 2		6	8	10 2		17	9	1 4 7	1	3	6	1 0 6				1 3 6
Soap, scouring and cleaning articles	680	0	0	500 0 0	100	0	0	80 0 0	206	0	0	200 0 0	320	0	0	250 0 0	360	0	0	320 0 0	490	0	0	500 0 0	300	0	0	2,156 0 0				2,150 0 0
Cost per prisoner		10	6	7 8		3	5	2 7		7	3	7 1		7	8	5 11		4	0	5 0		8	11	7 8		5	10	6 11				6 2
Brushes, brooms, and mops	300	0	0	200 0 0	65	0	0	50 0 0	110	0	0	80 0 0	75	0	0	50 0 0	80	0	0	100 0 0	150	0	0	200 0 0	100	0	0	780 0 0				780 0 0
Cost per prisoner																			11	1 7		2	9	3 0		1	8	2 6				2 3
Funeral expenses, inquests, &c.	50	0	0	50 0 0	10	0	0	5 0 0	20	0	0	10 0 0	25	0	0	10 0 0	100	0	0	150 0 0	150	0	0	100 0 0	50	0	0	355 0 0				375 0 0
Cost per prisoner			9	9			4	2			8	4			7	3		1	1	2 4		2	9	1 6			10	1 2				1 1
Rent, rates, and taxes	205	0	0	180 0 0	-	-		175 0 0	50	0	0	66 0 0	-	-		60 0 0	700	0	0	360 0 0	350	0	0	520 0 0	220	0	0	1,305 0 0				1,581 0 0
Cost per prisoner		3	2	2 9				5 7		1	9	2 4				1 5		7	9	5 7		6	4	7 11				4 3				0 4 6
Various small disbursements	250	0	0	100 0 0	400	0	0	150 0 0	300	0	0	100 0 0	400	0	0	200 0 0	500	0	0	250 0 0	1,000	0	0	600 0 0	400	0	0	2,850 0 0				1,800 0 0
Cost per prisoner		3	10	1 6		13	9	4 9		10	6	3 7		9	6	4 8		5	7	3 11		18	2	9 3		7	9	9 2				5 2
Gross total cost of maintenance	32,473	3	2	30,194 4 0	12,321	16	6	12,255 7 7	14,508	9	6	13,561 10 0	19,965	13	0	19,358 4 0	40,036	0	0	28,948 15 0	29,372	10	0	32,818 18 0	23,674	17	0	148,677 12 2				160,811 15 7
Gross total cost per prisoner	24	19	7	23 4 6	21	4	10	19 12 2	25	9	0	24 2 1	23	15	3	23 0 8	22	4	10	22 12 4	26	14	0	25 4 10	23	4	2	24 0 5				23 4 4
Deduct—																																
Earnings of prisoners	3,600	0	0	4,000 0 0	1,565	10	0	1,740 0 0	2,275	0	0	2,500 0 0	13,418	7	0*	20,541 15 6*	15,000	0	0*	15,000 0 0*	-	-		11,000 0 0*	14,536	6	0*	7,440 10 0				8,240 0 0
House rent paid by officers	-	-		- -	200	0	0	200 0 0	180	0	0	172 12 0	400	0	0	400 0 0	-	-		- -	350	0	0	300 0 0	-	-		1,130 0 0				1,072 12 0
Net total cost of maintenance	28,873	3	2	26,194 4 0	10,556	6	6	10,315 7 7	12,053	9	6	10,888 18 0	6,147	6	0	Nil	25,036	0	0	13,948 0 0	29,022	0	0	21,818 18 0	9,138	17	0	140,107 2 2				151,499 3 7
Net total cost per prisoner	22	4	2	20 3 0	18	4	0	16 10 1									13	18	0	10 1 10	26	7	8	16 15 6	9	0	0	22 12 8				21 17 4

* These amounts are not applicable in reduction of the sums voted by Parliament, but they are the value of the labour executed by the convicts employed on public works, in the construction of the breakwater at Portland, and in the dockyards and arsenals at Woolwich and Portsmouth.

Barbadoes.

13° Victoria, Cap. XXI.

An Act to authorize the conditional Discharge of and the granting of Tickets-of-leave to Convicts.

[22d January 1850.]

Whereas it may tend to promote the reformation of felons and offenders sentenced to imprisonment if the Governor or Commander-in-Chief were authorized to direct the conditional discharge of and to grant, in the manner herein-after mentioned, to such felons and offenders in certain cases permission to employ themselves for their own benefit before the period for which they were sentenced may have expired.

The Governor is authorized to discharge conditionally prisoners who, from good conduct or otherwise, may seem to him deserving of it.

I. Be it enacted, &c., That from and after the passing of this Act it shall and may be lawful for the Governor or Commander-in-Chief for the time being, and he is hereby authorized and empowered, to direct the conditional discharge of and to grant to such persons as, having been convicted of any offence, and been sentenced to be imprisoned with or without hard labour, shall from good conduct, or from any other proper cause, before the expiration of the period for which they were sentenced, seem to the Governor to be deserving thereof, permission to employ themselves for their own benefit, which permission shall be called a ticket-of-leave, and shall be under the hand and seal of the Governor or Commander-in-Chief for the time being: Provided always, that it shall not be lawful to grant any such ticket-of-leave to any person until such person shall have suffered three fourths of the period of imprisonment to which he or she shall have been originally sentenced; provided also, that nothing herein contained shall in any manner affect Her Majesty's royal prerogative of mercy.

Regulations to be observed in cases of persons so discharged.

II. And be it enacted, That every person who shall receive such a ticket-of-leave shall once a week during the period of his or her unexpired sentence appear before the police magistrate of the district in which he or she is residing, and give a proper and satisfactory account of himself or herself, and of his or her place of abode, and of his or her mode of life, and shall produce such evidence thereof as the said police magistrate shall require; and in case such person shall neglect or omit to appear before and to give such account of himself or herself to the said police magistrate, or in case the said police magistrate shall have reasonable cause to suspect that such person is leading an idle or dishonest life, it shall be the duty of the said police magistrate to report the same to the Governor, who is hereby authorized to revoke such ticket-of-leave, and the holder thereof shall thereupon be remanded to the common gaol by the said police magistrate (who is hereby authorized to issue his warrant, if necessary, for the apprehension of such person), there to remain until the term of

his or her original sentence of imprisonment shall have expired, with or without hard labour, as the case may be.

Provision in cases of parties so discharged committing fresh offences.

III. And be it enacted, That if the holder of any such ticket-of-leave shall during the period for which such ticket-of-leave may have been granted be convicted before any police magistrate or justice of the peace of any substantive offence, such conviction shall be deemed to be a revocation of such ticket-of-leave, and it shall be lawful for the said police magistrate or justice of the peace immediately to remand such person as is herein-before provided, and to further order that such person shall on the expiration of his or her original sentence stand committed for such further period as he shall direct, or be detained to be dealt with according to the nature of such substantive offence, anything to the contrary thereof in this Act contained notwithstanding.

Protection to discharged offenders in their persons and property.

IV. And whereas it is just that felons should be protected in their persons and in the possession of such property as they may acquire by their industry while holding such tickets-of-leave: Be it enacted, That it shall be lawful for every felon who shall hold such ticket-of-leave, notwithstanding his or her conviction of felony, to acquire and hold personal property, and to maintain any action or suit for the recovery of any personal property so acquired by him or her, and for any damage or injury sustained by him or her, in the courts of this island; and if the defendant in any such action or suit shall plead or allege in his or her defence the plaintiff's or complainant's conviction of felony, and the plaintiff or complainant shall allege and prove that he or she hath received and doth still continue to hold unrevoked such ticket-of-leave as aforesaid, a verdict shall pass and judgment shall be given for the plaintiff or complainant: Provided always, that whenever any such ticket-of-leave shall be revoked all property so acquired by any such felon shall vest absolutely in Her Majesty, and shall be disposed of at the discretion of the Governor.

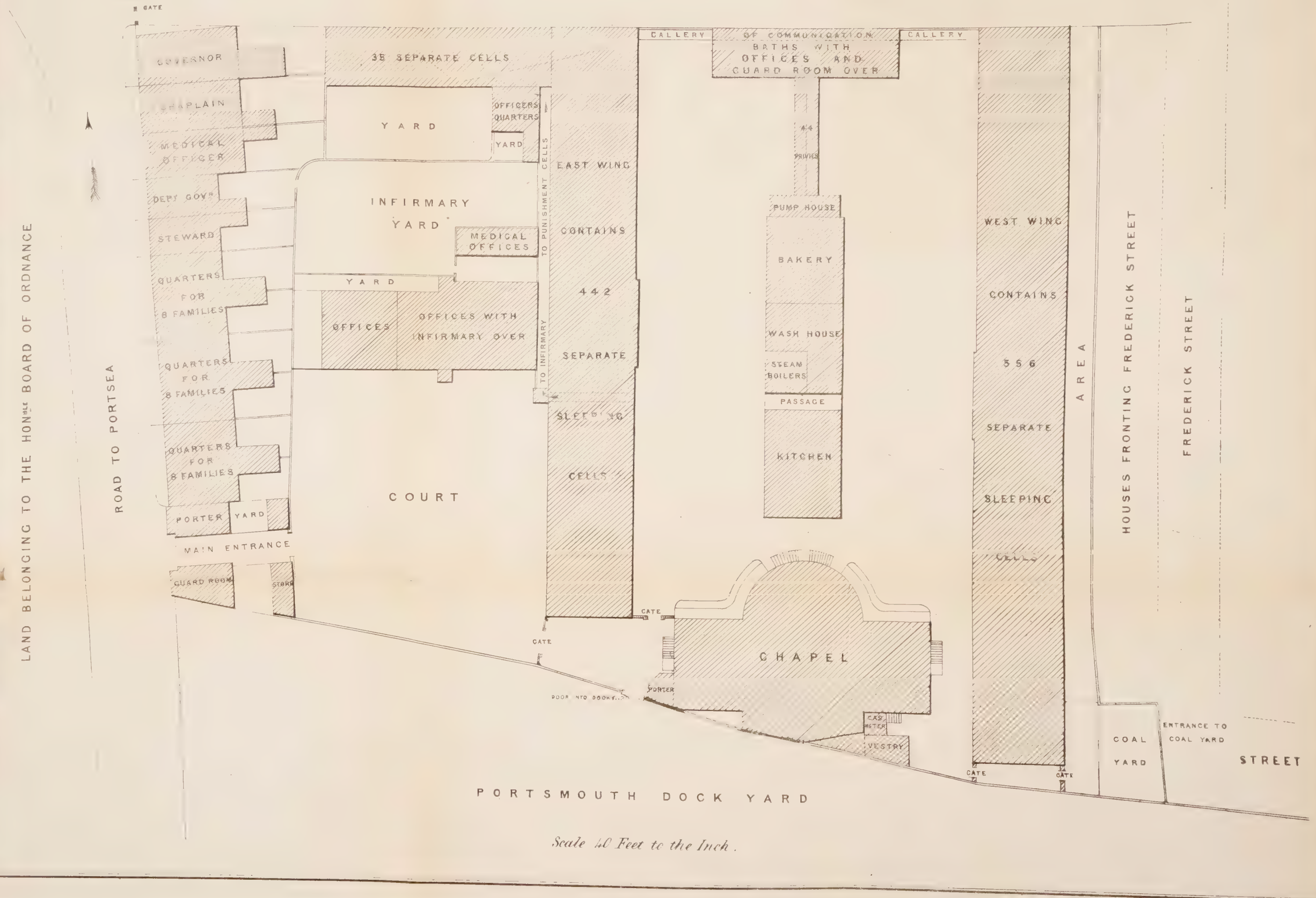
No person to be a second time entitled to the benefits of this Act.

V. And be it enacted, That no person who shall have received such a ticket-of-leave as aforesaid, and shall at any subsequent time be convicted of felony, shall be again entitled to be discharged under the provisions of this Act.

LONDON:
Printed by George E. Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office

CONVICT PRISON, PORTSMOUTH — BLOCK PLAN.

LAND BELONGING TO THE HONBLE BOARD OF ORDNANCE.



Scale 40 Feet to the Inch.

Day & Son Lith.rs to the Queen

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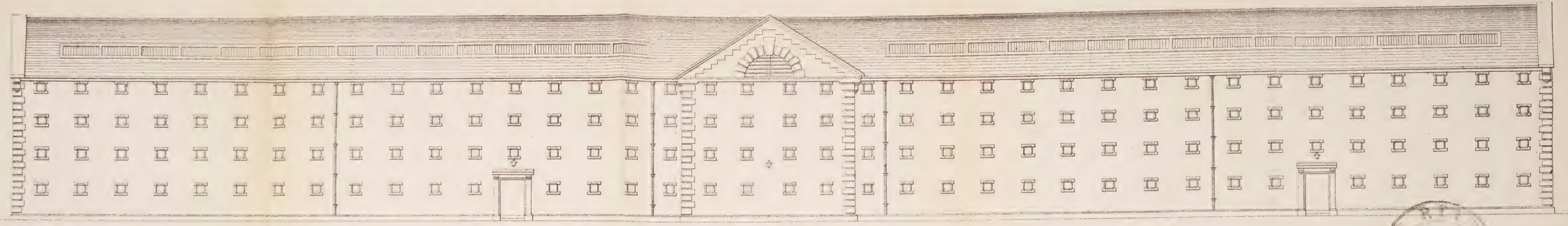
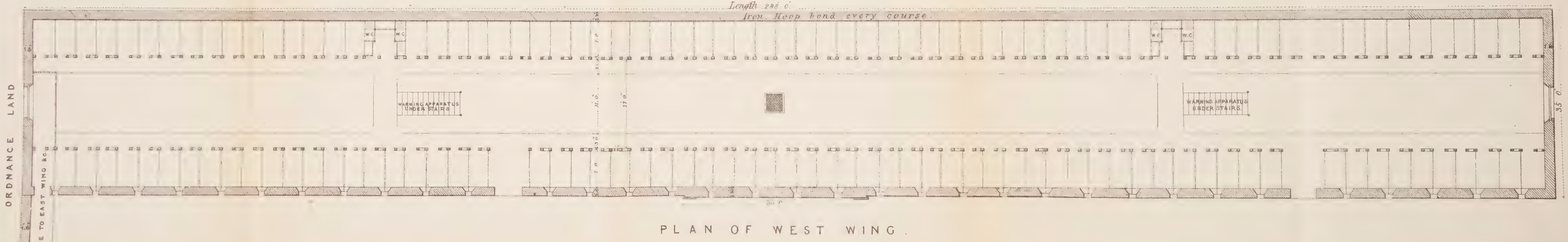


ELEVATION.



PLAN OF WEST WING.

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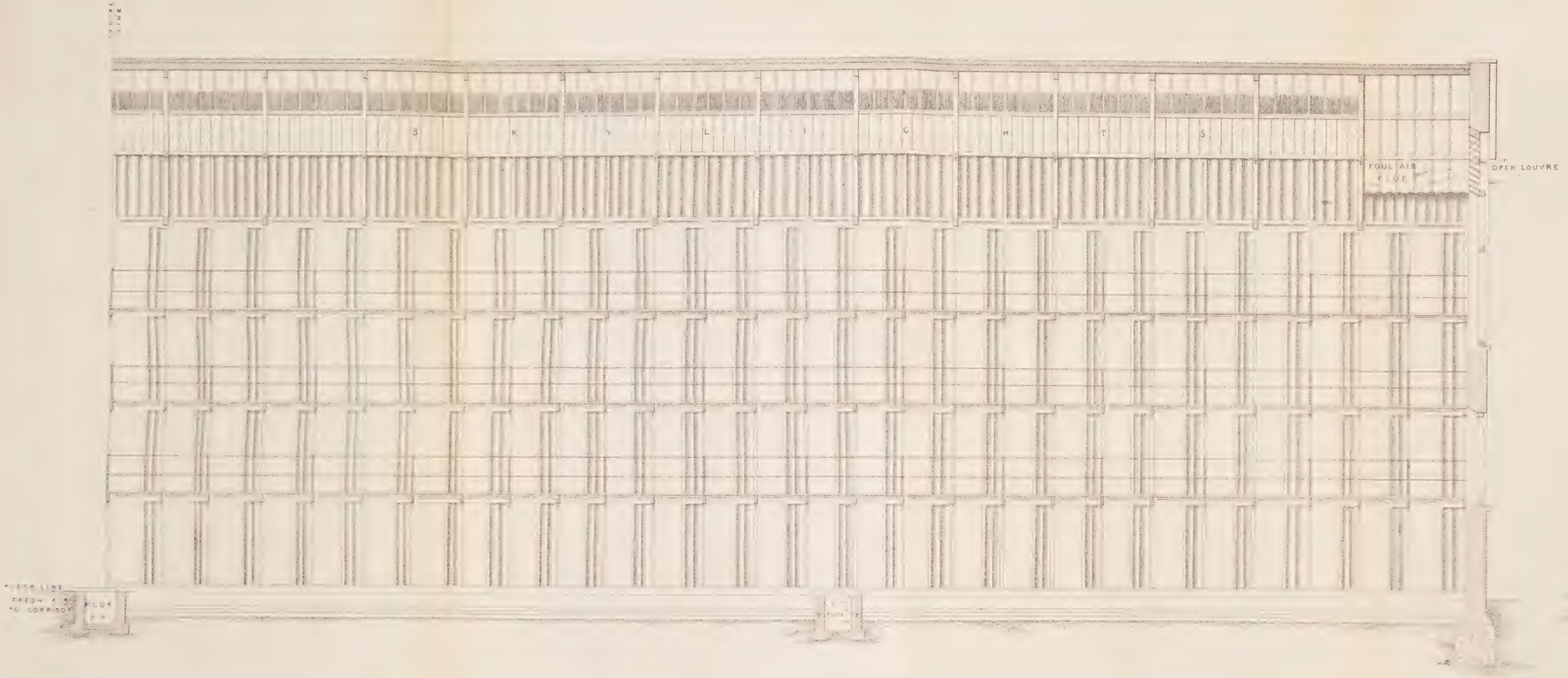
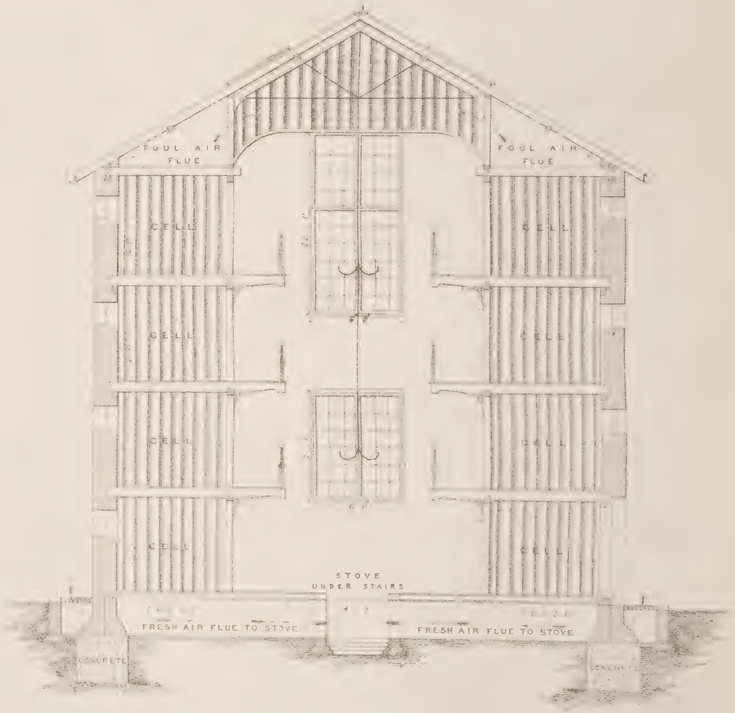
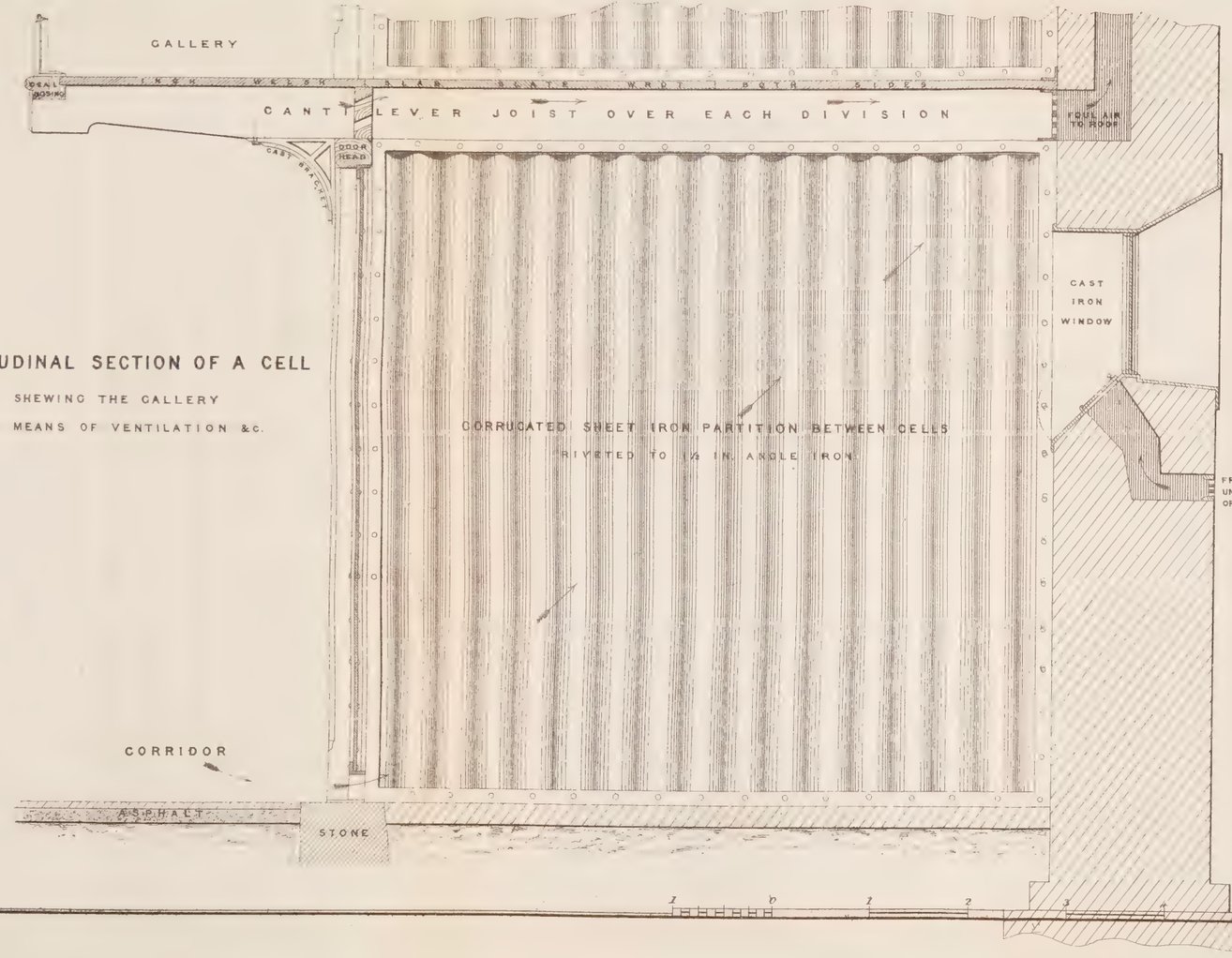


LONGITUDINAL SECTION OF HALF OF THE WEST WING



CROSS SECTION OF WINGS.

Plate 4.



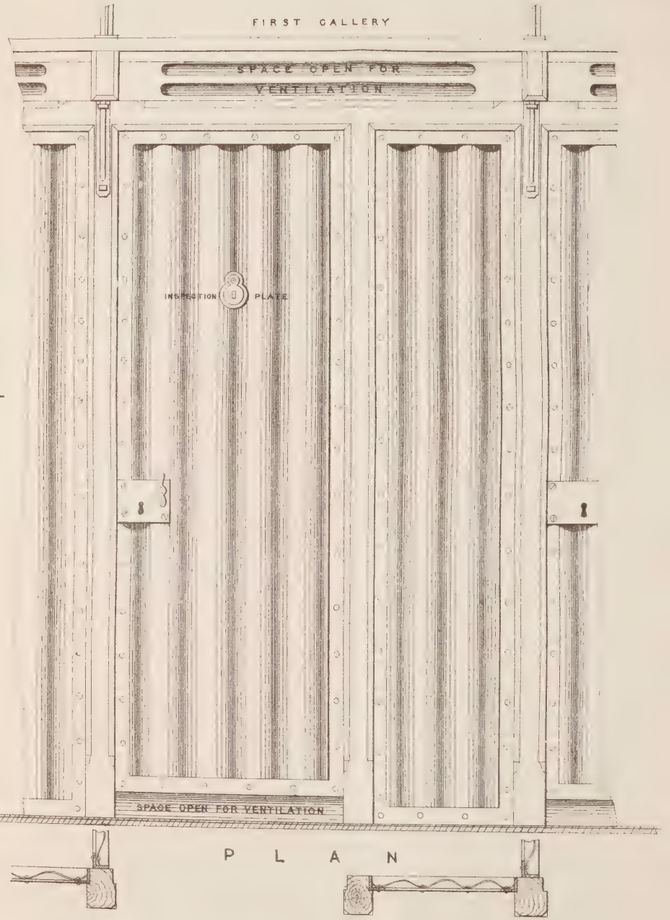
LONGITUDINAL SECTION OF A CELL

SHEWING THE GALLERY

AND MEANS OF VENTILATION &c.

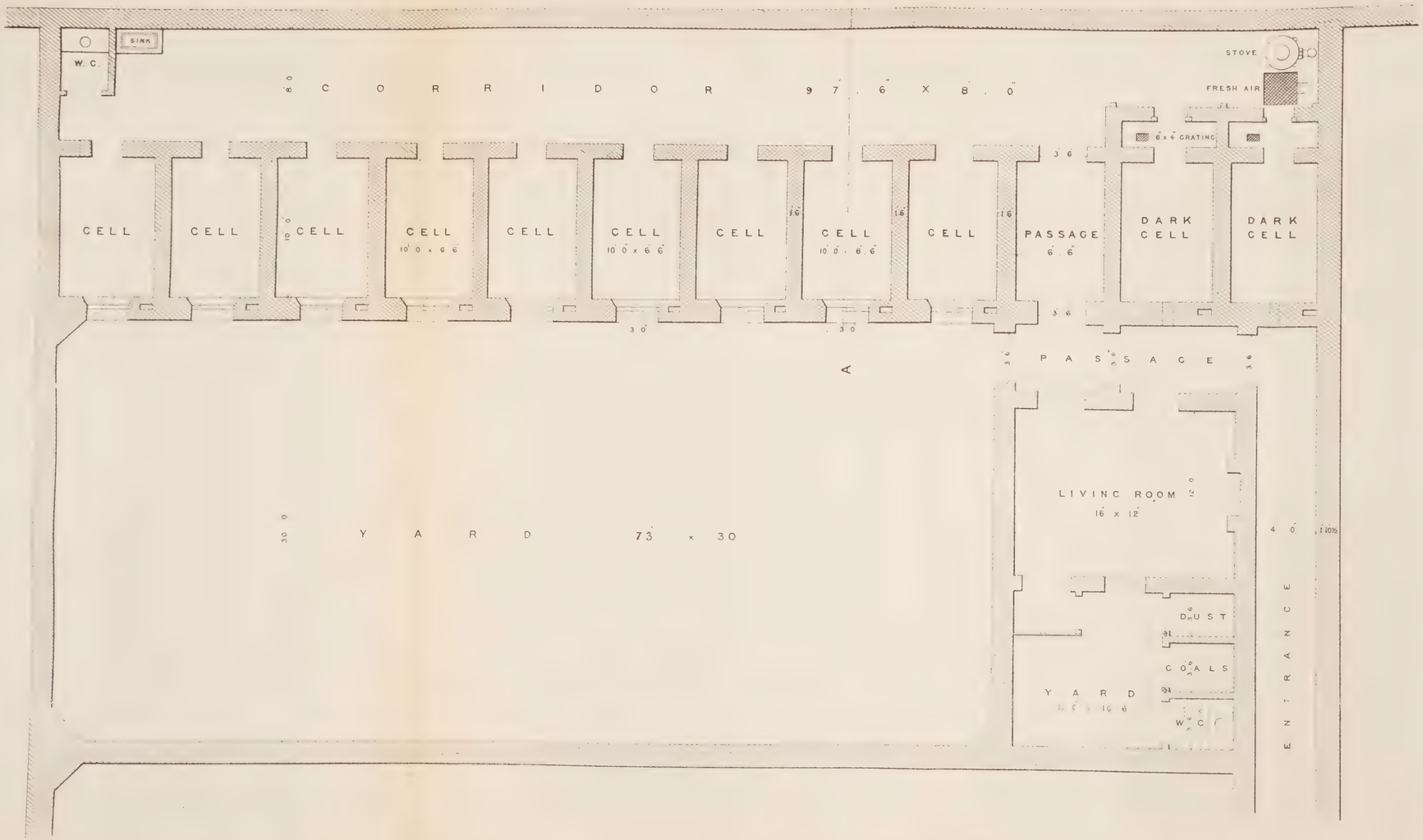
ELEVATION OF A CELL

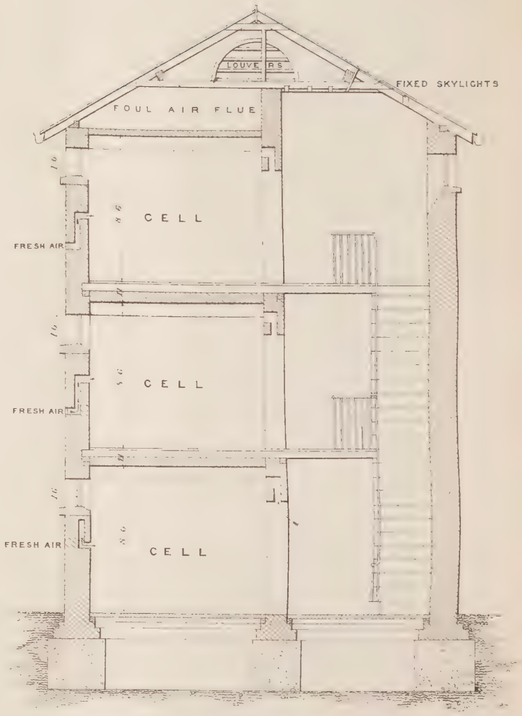
SHEWING DOOR



Day & Son Lith^rs to the Queen

SEPARATE CELLS GROUND PLAN.





SECTION ON LINE A.B.

EXPEDIENTS FOR THE VENTILATION OF LARGE ROOMS, PARTLY APPLIED AT DARTMOOR PRISON.

FIG. 6.

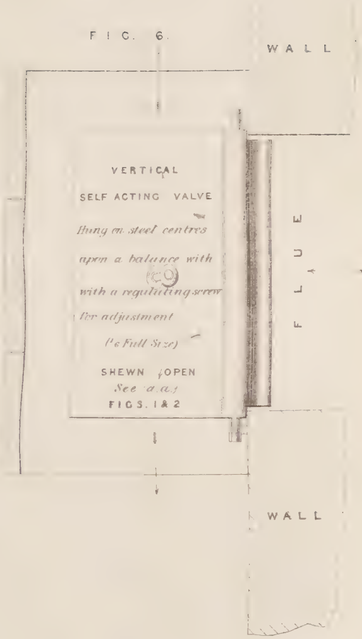


FIG. 1.

SECTION

Shewing a ventilating flue open to leeward and closed to windward, with self acting valve for excluding fresh air and permitting the escape of foul air.

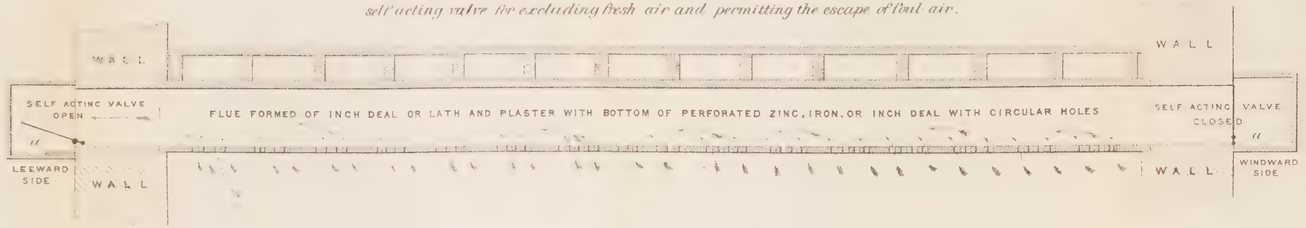
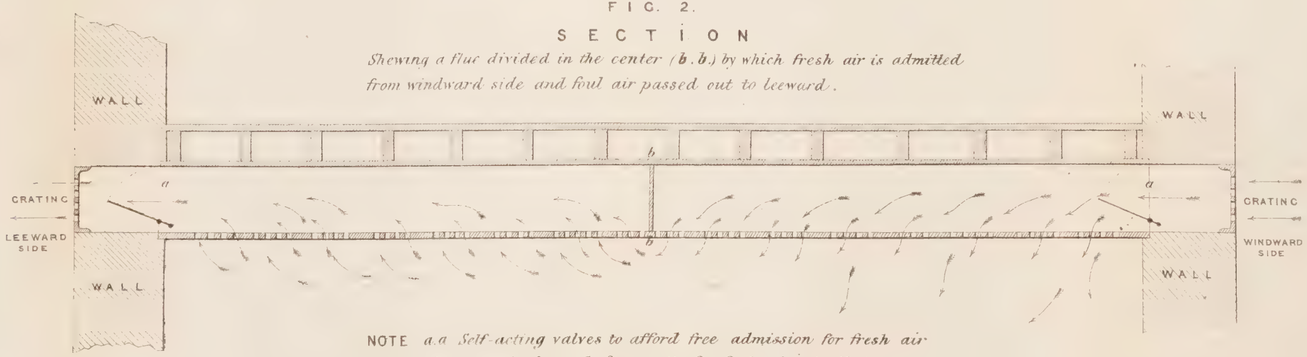


FIG. 2.

SECTION

Shewing a flue divided in the center (b. b.) by which fresh air is admitted from windward side and foul air passed out to leeward.



NOTE *a.a Self-acting valves to afford free admission for fresh air when required, and free exit for foul air at all times. The Valve to windward to be fixed when necessary.*

FIG. 3.

SECTION OF A FLUE UNDER A ROOF

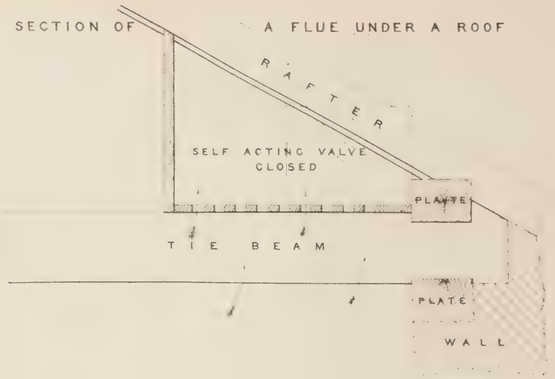


FIG. 4.

SECTION OF A FLUE UNDER A FLOOR

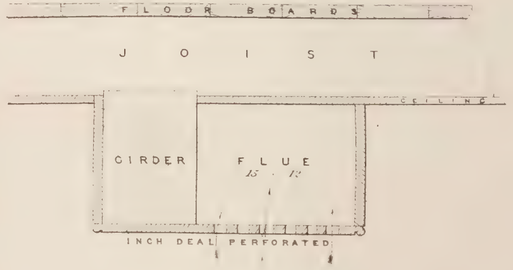
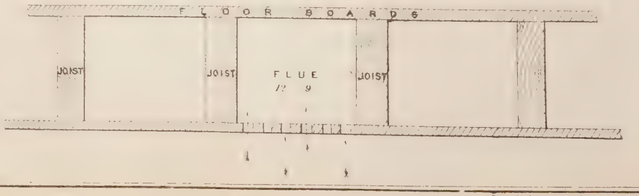


FIG. 5.

SECTION OF A FLUE BETWEEN COMMON FLOOR JOISTS



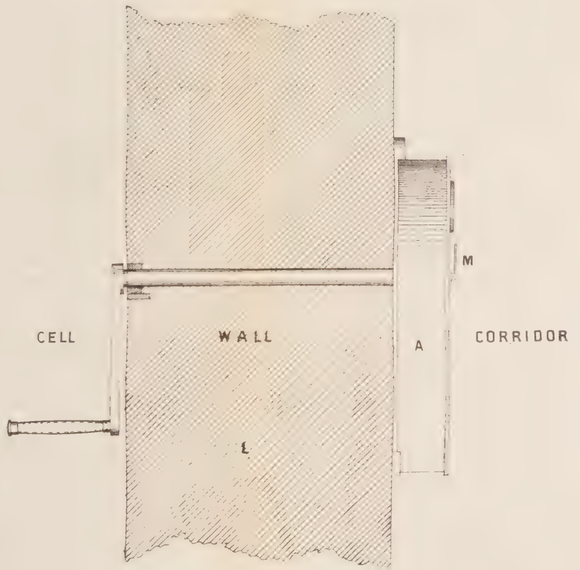
Day & Son Lith.rs to The Queen.

HADENS' REGISTERED HARD LABOUR MACHINE FOR PRISONS.

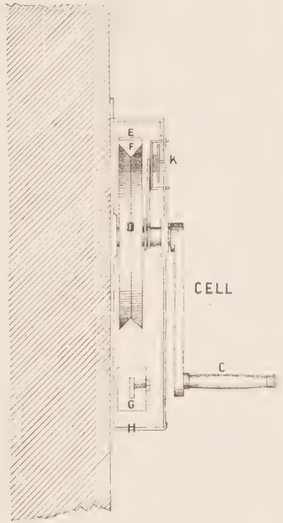
Plate 8

Scale 1½ Inches to a Foot.

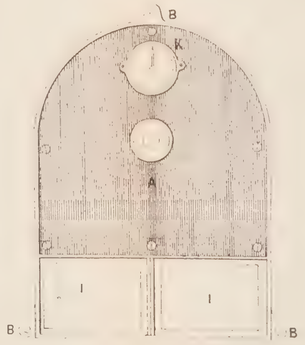
SIDE ELEVATION OF MACHINE
FIXED IN THE CORRIDOR.



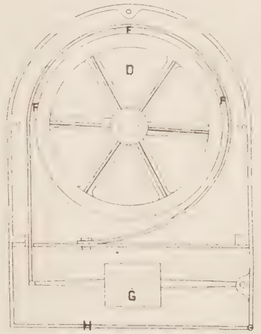
SECTION OF MACHINE
FIXED IN A CELL.



ELEVATION.



SECTION.



REFERENCE.

A. Enclosing Box
B. Bolts to Wall.
C. Winch Handle
D. Friction Wheel
E. Friction Clip.
F. Friction rubber of Cork or other material
G. Adjusting Weight.
H. Door to unlock to set D°
I. Glass Front to see position of Weight.
K. Indicating Dial, with Bell inside to strike completion of the Task.
L. Section shewing the Machine in Corridor & handle in Cell.
M. Pointer to shew whether the Man is at Work.

Frost & Son, Lith.rs to the King.

PARKHURST FOREST

GRAVEL PIT

BURIAL GROUND

No 2. A 9 . R 2 . P 6

No 3. A 9 . R 2 . P 10

No 4. A 10 . R 0 . P 0

BATHING POND

BAILIFFS HOUSE

DAIRY

BRICK YARD

SAW PIT

KILN

FARM SHED

SHED

STRAW YARD

BARN

COW SHED

FARM YARD

STABLE

RICK YARD

CHAPLAINS HOUSE

No 1. A 9 . R 2 . P 6

COTTAGE

CHAPEL

PROBATIONARY YARD

YARD

YARD

YARD

YARD

YARD

KITCHEN

C. WARD

STORES

DINING HALL

COV.ᵀ HOUSE

WORKSHOPS &c.

A WARD

B WARD

PUMPS

YARD

PORTER

RECEPTION

COTTAGES

COTTAGES

GARDEN

No 5. A 10 . R 0 . P 0

A R P
6 . 3 . 36

No 6

2 COTTAGES

ROAD FROM NEWPORT TO COWES

COTTAGE

FARMARY

COTTAGES

STEWARDS Hº

PUMPS

SCHOOL

JUNIOR PRISON

WARD

COTTAGES

ASSᵀ CHAPLAINS HOUSE

WARD

SURGEONS HOUSE

A R P
5 . 2 . 34

No 7

A R P
6 . 0 . 22

No 8

A R P
10 . 0 . 16

No 9

A R P
8 . 3 . 20

LIQUID MANURE

ALBANY BARRACKS

SCALE OF FEET

100 50 0 200 400 600 800

PLAN OF PARKHURST PRISON FARM.

ISLE OF WIGHT.

TOTAL AREA 110 . 2 . 35

PLAN OF THE CONVICT PRISON AT DARTMOOR

AND ADJACENT LAND BROUGHT INTO CULTIVATION.

Rendlestone

from Tavistock

OLD PRISON BOUNDARY

North Hessary Tor

PRISON BOUNDARY

WALKHAMTON COMMON

PRISON BOUNDARY

Land proposed to be reclaimed

Two Bridges

Total Content of Prison Land about 640 Acres.

Do Land under Cultivation 375 Do

SCALE OF CHAINS.

Lith^rs to the Queen.

Preston

Plate 10

PLAN OF THE ISLE OF PORTLAND

Shewing the situation of the

HARBOUR OF REFUGE.

Radcliff Point

Ringstead Bay

SCALE OF MILES.

3 Miles

Melcomb Regis

Weymouth

WEYMOUTH ROADS

Wyke Regis

Sandsfoot Old Castle

LINE OF St ALBANS HEAD

S.E. LINE OF GREATEST EXPOSURE

HARBOUR OF REFUGE

Chesil Bank

Portland Castle

35 feet above low water mark

Kings Pier

CONVICT PRISON

Church

PORTLAND

Old Castle

Weston

Church Hope Cove

Southwell

Lighthouses

Bill

PORTLAND LEDGE AND RACE

SHAMBLES

Day & Son Lith^rs to the Queen

REPORT

ON THE

DISCIPLINE AND MANAGEMENT

OF THE

CONVICT PRISONS,

AND DISPOSAL OF CONVICTS,

1852,

WITH NOTES ON THE

CONVICT QUESTION, CONSTRUCTION OF PRISONS, HARD LABOUR,

&c., &c.

By LIEUT.-COL. JEBB, C.B.,

Surveyor-General of Prisons, Chairman of the Directors, &c.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:

PRINTED BY GEORGE E. EYRE AND WILLIAM SPOTTISWOODE,

PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

FOR HER MAJESTY'S STATIONERY OFFICE

1853.

1659

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REPORT

ON THE

DISCIPLINE AND MANAGEMENT OF THE CONVICT PRISONS,

AND DISPOSAL OF CONVICTS,

1852,

With Notes on the Convict Question, Construction of Prisons, Hard Labour, &c.

By Lieut. Col. JEBB, C.B., Surveyor-General of Prisons,

Chairman of the Directors, &c.

To the Right Hon. Viscount Palmerston, G.C.B., &c.

Secretary of State for the Home Department.

45, *Parliament Street,*
June 14, 1853.

My Lord,

I have the honour to submit a Report for the year 1852 on those general subjects connected with the discipline and disposal of convicts, which fall under my superintendence as Chairman of the Directors of Convict Prisons, together with such information on the construction of prisons as further experience enables me to afford.

I have noticed the different subjects which appeared deserving of attention in the following order:— Order in which the subject is treated.

1st. The Accommodation at the Disposal of Government, —and the Distribution of the Convicts in the different Establishments.

2d. The General Statistics of the Year, showing the Number remaining in the Convict Prisons on the 31st December 1852—the Number received into the different Prisons, or

embarked for the Colonies, or who have died, during the Year.

3d. Convict Discipline—Observations on Separate Confinement, its Moral Effects, &c.

4th. Second Probationary Period on Public Works.

CONVICT PRISONS.

Prison accommodation.

With regard to the first point, the accommodation at the disposal of the Government, and the distribution of the convicts, are detailed in the following Return, which gives these particulars for the 31st March of the present year:—

ESTABLISHMENTS AT HOME FOR MALE CONVICTS.

Prisons for Separate Confinement.

Millbank	1,100		
Pentonville	561		
Wakefield	412	Cells in county or borough prisons rented by the Government.	
Preston	50		
Leeds	50		
Leicester	112		
Northampton	60		
Bath	24		
Reading	40		
Bedford	70		
Perth	180	For Scotch prisoners.	
			2,659

Prisons and Hulks for Public Works.

Portland	1,070		
Portsmouth	1,020		
Dartmoor; able-bodied	650		
Hulks at Woolwich "Defence"	530		
Hulks at Woolwich "Warrior"	450		
			3,720
Parkhurst (for Juveniles)			625

Invalid Depots.

Dartmoor	626	
"Stirling Castle Hulk, Portsmouth	400	
		1,026
Total in England and Scotland		8,030
Ireland, including Males and Females		5,246

Abroad.

Gibraltar, say	600	
Bermuda, say	1,700	
Western Australia	550	
		2,850
General Total		16,126*

* Exclusive of 200 females at Millbank and of all the accommodation in Van Diemen's Land. At the date of the last half-yearly Report, 31st December 1851, there were 4,762 males and females at the different establishments in that island.

GENERAL STATISTICS.

General Statistics.

GENERAL STATISTICS and Disposal of Convicts for the Year 1852.

On the 1st of January 1852—

The number of Prisoners remaining in Convict Prisons was	6,572	
Received during the year 1852	2,953	
Total convict population during the year		9,525
Disposed of during the year		2,658
Remaining on 31st December 1852		6,867

Embarked for	Name of Ships.	Date of Ships leaving.	Condition of Convicts in the Colonies. Ticket-of-Leave.	Public Works.	Further Probation.	Total.	
		1852					
Van Diemen's Land	"Fairlie"	March 10	294	-	-	294	
	"Pestonjee Bomanjee"	April 18	290	-	1	291	
	"Lady Montagu"	August 2	250	-	2	252	
	"Equestrian"	August 25	258	-	36	294	
	"Oriental Queen"	October 25	255	3	22	280	
	"St. Vincent"	December 22	71	-	39	110	
							1,521
Western Australia	"Wm. Jardine"	April 30	-	212	-	212	
	"Dudbrook"	November 15	70	159	-	229	
							441
Norfolk Island	"Lady Montagu"	August 2	-	38	-	-	38
			1,488	412	100	-	2,000
Bermuda	"Edward"	December 27	-	-	-	-	245
Gibraltar	"St. Vincent"	December 22	-	-	-	-	100
		Total	-	-	-	-	2,345
Removed to—							
Lunatic Asylums						18	
County Gaols						5	
Society's Farm School						17	
Ireland						3	
							43
Pardoned—							
Free						80	
Conditional						6	
On Medical Grounds						13	
On expiration of half sentence, and one sentence expired						26	
							125
Escaped						-	14
Deaths						-	131
Total Number disposed of						-	2,658
Remaining in the Convict Prisons 31st December 1852						-	6,867
Total Convict Population						-	9,525

CONVICT DISCIPLINE.

Convict discipline.

The question of penal discipline applicable to convicts under sentence of transportation is very complicated, involving, as it does, the home and colonial interests, and being, also, a great moral and financial question. If, in practically attempting its solution, any one of the great interests concerned be allowed to preponderate, to the exclusion of measures likely to have a favourable influence on the others, the general result, considered in a national point of view, cannot fail to be prejudiced.

Different views on the subject of convict discipline.

In looking practically into details, the question is further complicated by the very different views which are entertained, not only as to the object itself, but on the measures to be adopted for obtaining it.

Some will advocate simple penal punishment; others, reformation, as the chief end and prominent feature of any system: some would advocate chains and slavery; others, affectionate and assiduous instruction.

Between these extremes, the safest course would appear to be, to avoid any one idea, and to hold fast by experience. In this view, it may be desirable to inquire how far the two main elements of the system, namely, *Separate Confinement* and *Associated Labour*, can claim any preference over other schemes which may be suggested for the resolution of this important question.

I have so fully entered into all the details in former reports, that it would only be necessary very briefly to bring them under your Lordship's notice, were it not that the question of enforcing strict separation for indefinite and lengthened periods has again been mooted, and an attempt been recently made to show that certain modifications, which have been introduced into the discipline of Pentonville prison, have had a prejudicial effect on the health of the prisoners.

Separate System.

Separate system.

When the separate system was first urged upon the attention of Parliament in the very able Reports of the late lamented Inspectors of Prisons, Messrs. Crawford and Russell, (1836 and 1837,) little or no experience of its effects had been gained in any country. Mr. Crawford had seen it in operation in the Eastern Penitentiary at Philadelphia; and thus expresses his opinion in a Report on the prisons in America, dated 1834:—

Extracts from Mr. Crawford's Report on Prisons in America.

"In regard to the moral effects which have hitherto resulted from the Eastern Penitentiary, it is impossible to adduce any strong evidence. The institution has been only four years in practical operation.

"In 1830 there were confined in the prison			- 31
1831	„	„	- 67
1832	„	„	- 91
1833	„	„	- 123"

He goes on, however, to add the favourable opinion he had formed, in the following terms:—

"Upon a careful review of every part of the Eastern Penitentiary, after seeing the whole, and examining a considerable number of the

individuals confined in it, I have no hesitation in declaring my conviction that its discipline is a safe and efficacious mode of prison management, that it has no unfavourable effects on the mind or health, and that with the addition of moral and religious instruction, in which this penitentiary is eminently deficient, solitary imprisonment thus enforced may be rendered powerfully instrumental, not only in deterring, but also in reclaiming the offender."

It will be admitted by those who have given attention to the subject, that these conclusions rested upon very slender data; and that so far as regards the assertion, that discipline, as enforced at that prison, would have no unfavourable effect on the mind or health, or the inference that it could be safely enforced in the case of all prisoners for lengthened periods, experience has since shown, that the anticipations he entertained have not been altogether realized.

Solitary confinement in America.

Solitary confinement had previously been made the subject of experiment in New York.

In pursuance of a law passed in 1821, eighty convicts were selected, and, as a matter of experiment, were placed in *solitary* cells, which had been prepared for the purpose, under the direction of the Inspectors of the State Prison at Auburn.

Disastrous effects of solitary confinement.

In 1823, about eighteen months after the commencement of the experiment, it was found that the most disastrous results had followed, especially as regarded insanity. With the exception of a few whose sentences were about to expire, and others who were sent to labour, all the remainder were then pardoned.

The total failure of this experiment led to the establishment in that prison of labour in association, under a rule of silence, as distinguished from the separate system, which was afterwards established in 1834 at Philadelphia.

It is probable that the results of this experiment of *solitary* confinement on the mind and health of prisoners, led to the existing limitations by which it is not lawful to award or enforce a sentence of solitary confinement for more than 28 days at a time or for more than three such periods during 12 months.

Distinction between Separate and Solitary Confinement.

Object of Pentonville Prison.

The distinction between *solitary* and *separate* confinement, and some of the precautions to be adopted in the construction of prisons, and in the administration of the discipline, are laid down in the 2 & 3 Vict. cap. 56; and Pentonville Prison was erected as a model of construction, and with a view to

try an experiment on separate confinement in this country under the provisions of that Act. Some observations on this subject appear in my Second Report.*

Selection of prisoners for Pentonville.

From the year 1843 to 1848, with a slight exception on the first opening of the establishment, the prisoners admitted into Pentonville were most carefully selected from the whole body of convicts; and the results of the discipline are fully detailed in the Reports of Commissioners. A change in the class of convicts, as a cause of some adverse results in 1848, is, however, incidentally noticed in a Report for that year, dated May 1849, and signed by Earls Devon, Chichester, and Harrowby, Sir W. Molesworth, Sir B. Brodie, and Dr. Ferguson.

The following are extracts:—

Extracts from Report of Commissioners of Pentonville.

"Since the date of our last Report, dated May 1848, we have no new circumstances to notice. The following statements will show that the system continues in efficient operation, and that its effects upon the prisoners are highly satisfactory."

With regard to the health and mental condition of the prisoners, however, they observe,—

"We are sorry that, as to the health and mental condition of the convicts, we have to make a much less satisfactory report than in any of the former years since the prison was established.

"The daily average number of sick has indeed been smaller than in the year 1847; and there has not been a single case of Asiatic cholera.

"But there were six deaths from disease within the walls of the prison; and five convicts received pardons on account of their

* "It must first be premised that the law requires 'that no cell shall be used for the separate confinement of any prisoner which is not of such a size, and ventilated, warmed, and fitted up in such a manner as may be required by a due regard to health;' that its fitness in these respects shall be certified to the Secretary of State; that a prisoner shall have the means of taking *air* and *exercise*, and be furnished with the means of *moral* and *religious instruction*, with *books*, and also with *labour* or *employment*.

"It is difficult to define by any regulation the *amount* of the moral and religious instruction which shall be given, or the *precautions* which shall be adopted in the general administration of the separate system. But when it is remembered that the *basis* of separate confinement is *solitude*, the necessity of following up not only what the law has clearly indicated, but what experience has proved to be absolutely essential, will be apparent.

"The Commissioners of Pentonville advert generally to the subject in the following terms:—'In carrying out any system of separate confinement, we are of opinion that it is quite indispensable to secure a constant and vigilant medical superintendence, and those mitigations of absolute solitude, which we believe to have operated so beneficially for the bodily and mental health of the prisoners at Pentonville: we mean, chiefly, *a regular and frequent visitation by the superior officers, moral and religious instruction judiciously imparted, employment that will interest the mind as well as occupy the time of prisoners, and regular exercise out of doors.*'

"As far as regards confinement prolonged beyond the average period of a few weeks, the faithful performance of the duties referred to, combined with '*employment that will interest the mind as well as occupy the time of a prisoner*,' constitute those mitigations of absolute solitude which are quite indispensable in order to establish the broad distinction which ought to exist between *solitary* and *separate* confinement, and to secure the advantages of the system."

labouring under such disease as rendered a prolonged term of imprisonment dangerous. Of these last, four laboured under some form of scrofula, and one under an organic disease of the brain.

"There was one case of death from suicide; and it is worthy of notice that this is the first example of suicide that has occurred in the prison.

"The proportion of mortality, including three-fifths of those who were pardoned on account of the state of their health, among the deaths is as 18·75 to 1,000.

"There have been also five cases of insanity.

* * * * * *

"It may be difficult to offer a certain explanation of the great number of cases of death and of insanity, as compared with that of former years. *We have, however, reason to believe that, in the earlier years of this institution, the convicts sent here were selected from a large number, and that the selection was made with a more exclusive regard to their physical capacity for undergoing this species of punishment.*"

They remark in conclusion,—

"The longer the period of separation, the more watchful must be the exercise of medical superintendence, to guard against the failure of mental or physical health, which should always be anticipated as a possible result with prisoners of certain temperaments and dispositions, and in proportion to the keenness with which they feel their punishment."

New commission.

Subsequently to the date of this Report, the functions of the Board were transferred to a new commission, of which I had the honour to be appointed Chairman, Captain O'Brien and Mr. Voules being associated with me.

Different appropriation of Pentonville Prison.

The experiment on prison discipline which had been in full operation from 1843 to 1849, was thus brought to a close, and the accommodation in Pentonville Prison was rendered available for the general purposes of the convict service.

From circumstances, we were all sufficiently familiar with the working of the discipline at Pentonville, and its effects, to enable us to form our own conclusions upon the subject.

For myself I had previously expressed them in my Second Report, 1847, to the following effect:—

Periods for which separate confinement may be adopted.

"My own independent conclusion, founded on a close observation of the system as carried out at Pentonville, Wakefield, and other prisons, is that separate confinement, with very few exceptional cases, and with ordinary precaution, may be safely and *generally* adopted for periods extending from six to twelve months, or rather more.

"Beyond twelve months I think it requires greater care and watchfulness than would, perhaps, be ensured under *ordinary* cir-

cumstances. And there are grounds for believing that it is neither necessary nor desirable to extend it.

"It is not the *use*, but the *abuse of separate confinement* that is to be guarded against; that is, pressing it beyond the limits within which advantage is derived from placing a prisoner under favourable circumstances for reflection and receiving instruction,—or of continuing to enforce it, in the case of any individual whose health of mind or body appears to suffer under separate confinement in a greater degree than he would under a system of association."

Precautionary measures.

Under any circumstances, however, the experience of 1848, as already detailed, would naturally have led to the adoption of any precautionary measures, which afforded hope of mitigating the evils. This responsibility was especially forced upon our attention from the circumstance that it had been determined by the Government to subject *all prisoners* to a period of separate confinement, instead of the very small proportion which up to that period, including 1848, had been selected for the purpose.

The first Report of the new Board is for 1849, and is dated 25th February 1850. Some extracts from a subsequent Report, bearing on the question, are inserted in the Appendix, page 102.

The experience of the year 1849 was such as to call for increased watchfulness and precautions; for we had commenced dealing with a description of prisoners far less able to bear separate confinement than those who were made the subjects of the original experiment; and this discipline was about to be enforced under the responsibility of the Secretary of State at Wakefield, and in other prisons where cells had been rented by the Government for the purpose. Up to the end of 1849, however, no alteration in the routine, of any consequence, had been made, although prisoners of good conduct, who had been six months in the prison, had been previously selected for employment in the kitchen, bakery, and in other work, chiefly with a view to economy.

Mr. Bradley, the Medical Officer, in his Report for 1851, observes on the general question of health under the less favourable circumstances in which the discipline was carried out:—

Extract from Medical Officer's Report for 1851.

"The admission of ordinary convicts for the purpose of undergoing punishment would naturally tend to increase the proportion of both mental and bodily disease. This anticipated result, however, has not obtained, as the medical statistics show, with regard to mortality and disease in the prison; while, if the condition of the prisoners at the expiration of their imprisonment be regarded, and a comparison in this respect be made between those formerly embarked on board the convict ships, and the men who have been sent during the last

two years to the public works, the observation will be in favour of the latter as being more healthy in appearance, and possessing, for the most part, unimpaired strength, and activity of both mind and body.

"The circumstance which has been mainly instrumental in counteracting the tendency to disease and in maintaining health will be found to be that the term of imprisonment in Pentonville has been shortened; the time to be passed in separate confinement having been reduced from 18 to 12 months."

With regard to mental health, he observes that it may be considered to have been highly satisfactory, whether the diminished number alone be regarded, or the character of the cases themselves.

Increased Amount of Exercise and Results.

Cause of unusual number of cases of mental affection.

At the commencement of 1852, however, there had occurred at Pentonville so unusual a number of cases of mental affection, as to cause the Directors much anxiety; and I stated in my last Report that they had instituted an inquiry into all attendant circumstances, and had arrived at the conclusion, that the greater amount of mental disease at that establishment, as compared with Wakefield and other prisons, was mainly due to a *difference in the administration of the system.*

Increased exercise.

Whilst, therefore, adhering, as far as possible, to the principle of separation, they deemed it their duty to increase the amount of exercise in the open air; and, partly with this object, and partly to secure other advantages, they caused the prisoners to take exercise on the plan which had been found to answer so well at Wakefield. Their view is explained in the following resolution:—

"That the exercise in the separate airing yards does not appear so well calculated to promote the bodily or mental health of prisoners as the plan pursued at Wakefield; and that brisk walking exercise under such arrangements as will effectually prevent communication should be substituted for it."

This change, which was brought into operation about 1st April 1852, has had a most marked and beneficial effect on the general health of the prisoners, as will be seen in the following table, showing the mean daily per-centage of sick in each month, and quarter, of eight preceding years, as compared with 1852:—

Daily per-centages of sick.

	Mean of 8 years.		1852.	
	Months.	Quarters.	Months.	Quarters.
January	3·48		3·83	
February	3·39		3·23	
March	3·60	3·49	4·21	3·75
April	3·16		2·61	
May	3·17		1·52	
June	3·40	3·24	2·27	2·13
July	3·75		1·79	
August	3·61		1·25	
September	3·23	3·53	1·64	1·56
October	3·27		1·28	
November	2·99		1·90	
December	3·13	3·13	1·82	1·66
Annual mean	3·34	—	2·27	—

The gradual diminution in the per-centage of sick, shown in this return, notwithstanding the very different and less favourable classes of prisoners which are now sent to Pentonville, can, in my opinion, only be accounted for by a difference in their treatment, combined with a shorter period of confinement.

Extract from Chaplain's Report.

With regard to the moral effects produced by this and other ameliorations of the discipline, the Chaplain observes as follows:—

"The beneficial moral results of the discipline and instruction of the prison have in no degree been lessened, in my opinion, by the mode of exercise adopted during the year past, in lieu of the separate yards. There has been actually less communication between the prisoners. The good effect of the change upon the mental condition of the prisoners has been, to my perception, most marked. From an early period in the history of this prison you are aware I was led to advocate a mitigation of the rigorous character of separate confinement, originally instituted in Pentonville; and I have hailed with no small satisfaction, on the ground of humanity, every approximation to such a course of treatment as should secure a better prospect of continuing what is useful in this discipline without perpetuating the serious evils which a growing experience led me to apprehend from its indiscriminate application. I am now enabled, by very distinct recollection of my early impressions, to compare the convicts of the first years, in their general appearance and manner, with those of the last; and I would have no hesitation in affirming that the present healthful mental aspect of the prisoners forms a complete contrast to the nervous, agitated condition of the first, allowance being made for the many cases of debility and age now admissible to the prison, which were so carefully excluded at the first."

It has been well remarked by the Physician of the Penitentiary in New Jersey:—

"The more rigidly the plan is carried out, the more its effects are visible upon the health of the convicts. A little more intercourse with each other, and a little more air in the yard, have the effect upon the mind and body that warmth has on the thermometer; almost every degree of indulgence showing a corresponding rise in the health of the individual. That an opinion to the contrary should have been advocated at this time seems like a determination to disregard science in support of a mistaken but favourite policy."

Remarks of the physician of the New Jersey penitentiary on separate confinement.

Besides the more obvious effects of separate confinement, as exhibited in the development of pulmonary consumption and mental affections, there can be no question that the vigour of mind and body of the majority of convicts, who are subjected to strict separation for periods extending beyond 12 or 15 months, is impaired.

My own conclusions upon this subject were thus expressed in my Second Report for 1847, in which, referring to the occurrence of convulsions on embarkation, and the general subdued, tractable manner, which had been reported by several surgeons-superintendent as the invariable characteristic of the prisoners from Pentonville, I observed that—

"Though there may be no evidence that any *permanent* injury has been sustained, such *indications* must not be disregarded. From whatever cause they proceed, it appears highly probable that an extension of the period of confinement would be calculated to increase them, and it is to be apprehended that if increased the result might be some permanent injury to the majority of the prisoners. It has been remarked that such effects show that we have arrived 'at the *beginning of* the *end* of good health.'"

Mr. Francis Gray, the author of a work on Prison Discipline, also observes upon this point:—

"Sir George Grey expressed his concurrence in the opinion of Sir Benjamin Brodie and Dr. Ferguson, who had both been on the Commission for the Management of Pentonville Prison, that the *utmost watchfulness and discretion* on the part of the Governor, Chaplain, and *Medical Attendants*, would be requisite in order to administer the system established there with safety, and Sir James Graham repeated the same sentiment. If there is great danger that the bodily and mental health will, in many cases, be so deranged as to require medical interference, is there not a certainty that, in many more, there will be a *degree of debility and depression not amounting to positive disease?* These effects, when perceived, may, perhaps, be deemed hereafter, as they have been heretofore, to be evidences of reformation. But it is a capital error to suppose that they promote or indicate any real improvement of the morals or of the intellect."

Remarks on separate confinement by Mr. Francis Gray.

On this latter point Mr. Kingsmill remarks in his last Report:—

Chaplain's remarks.

"Depression of spirits is not contrition; remorse is not repentance; resolutions and vows of amendment, made whilst suffering the penalty of transgression, imply no change of principle—no real reformation of character. The weakening of man's physical and mental energies does not generate piety. Religion cannot be in a healthy state which originates in any disturbance of the mental powers."

Results of precautionary measures.

The best evidence, however, of the results of the plans which have been pursued, in giving effect to the precautionary measures introduced into the routine of discipline in the course of the last twelve months, is, that during the year between the 1st of April 1852 and 31st March 1853, there has been no case whatever of mental disease.

The foregoing explanations will, I trust, have satisfied your Lordship that the determination of the Government in regard to limiting the term of separate confinement, was not hastily or unnecessarily adopted, and that the ameliorations, which, under a change of circumstances, the Directors have felt it to be their duty to recommend, are such as are calculated to diminish the objections which may be entertained by some to this system of discipline, whilst they do not entail any sacrifice whatever of its advantages.

General System of Convict Discipline.

Limitation of period of separate confinement.

When the question of establishing a comprehensive system of discipline, applicable to the great body of convicts under sentence of transportation, was under consideration of the Government in 1846-7, the whole subject was most anxiously and carefully considered in all its bearings.

Separation applied to all convicts.

The experiment at Pentonville had been so conclusive and satisfactory as regarded the moral effects of separate confinement, that it was determined to secure for the whole body the advantages which up to 1847 and 1848 had been confined to a small section, and thus realize the anticipations of those most interested in the treatment of convicts, by applying that experience in establishing an improved and comprehensive scheme of prison discipline, which might be equally applicable to all convicts and under any circumstances.

The result was the determination, that the period of separate confinement should be limited to an average of about 12 months, followed by strict penal discipline in association and employment on public works, for a period proportioned to the original sentence.

In order to carry out these views, I was authorized by Sir George Grey to rent from the Magistracy in counties and boroughs, where new prisons had been erected, any spare accommodation they were inclined to place at the disposal of the Government, at the rate of 6*l.* per annum for each cell. Nearly 800 additional cells were obtained in this manner. A portion of Millbank was appropriated for modified separation, and Pentonville was somewhat extended. Instead, therefore, of 500 prisoners only being subjected to separate confinement, arrangements were made by which upwards of 2,000 are now undergoing that discipline.

Cells rented in county and borough prisons.

It was further determined to establish a large convict prison at Portland, with a view to bring to the test of actual experiment, not only the measures calculated to assist in the reformation and industrial training of prisoners, but to ascertain the best mode of applying convict labour at the disposal of the State, in the execution of works of national importance or acknowledged utility; with a further view to the final abolition of the Hulks and the substitution of an organized and improved system of discipline, on public works, at home and abroad.

Establishment of Portland Prison.

With regard to the general results of the combined system, sufficient experience has now been gained of the great advantages of separate confinement, as a preparation for the subsequent stage in association. The details of the discipline, though described in the reports, can, however, only be understood by an inspection of the prisons at Pentonville and Wakefield, and of other prisons where the separate system is enforced.

Best method of becoming acquainted with details of discipline.

A careful study of the whole discipline and management at Portland, Portsmouth, or Dartmoor, would, in like manner, enable any one to form an opinion, as to whether the arrangements for combining the reformation of the prisoners with the punishment due to crime, are calculated to promote the objects which the Government have in view.

Should alterations appear desirable, there exists every facility for making them. So far, however, as my experience goes, I do not see that any change, either in principle or routine, could be made without creating *some evil or difficulty which requires to be guarded against.*

No change practicable.

As regards the present system of subjecting every prisoner to 12 months' separate confinement and subsequent association on public works, Mr. Gray, the author before quoted, remarks in a work published at the time when the present plan was first settled:—

Remarks of Mr. Gray on the present system.

"The British Government, enlightened by experience, has determined to make an important change in its whole system of secondary punishments, and, last June, a plan was submitted to Parliament for this purpose, which will undoubtedly be definitively acted on at the next session. * * * * * * * * * *

"It appears that the new system now proposed to be established there, provides for one year of Pentonville discipline, followed by a term of *social labour*. During this latter period, we are told that the prisoners are to receive moral and religious instruction, and to be entirely separated from each other by night. This is well. And if it is designed, also, to furnish them, during the intervals of labour, with the means and opportunity of such intellectual culture as they are capable of receiving; to guard carefully their intercourse by day; and to prevent their having free and uncontrolled conversation by night, it is a *design worthy of the greatness, the wisdom, and the benevolence of England.*"

SECOND PROBATIONARY PERIOD ON PUBLIC WORKS.

Second Probationary Period on Public Works.

We now come to the consideration of the second probationary period of discipline on public works; and as the moral result of the discipline to which convicts are now subjected during the period of their imprisonment mainly depends upon the arrangements made for the men working in association after a period of separate confinement, I have felt more than ordinary interest and anxiety that it should be placed on the most effective footing; and with this view I have spared no pains to render Portland a model on which to form similar establishments.

Portland Breakwater.

Before entering into the different questions which are of interest with reference to the results of the discipline and management of Portland Prison, it may be convenient briefly to advert to the further object of constructing a breakwater, for the formation of a harbour of refuge in Portland Roads, and to the mode of carrying on the work.

Formation of harbours of refuge.

The attention of the Government was called to the subject of "Harbours of Refuge" in 1843; and, in consequence of the recommendation of a Select Committee of the House of Commons, a Commission was appointed to inquire into the most eligible situation for forming a harbour or harbours of refuge in the Channel.

Opinion of Commissioners on Portland Bay as a Harbour of Refuge.

The great natural advantages of Portland Bay—its important relative position—and the facilities for accomplishing the proposed object, could not fail to claim the attention of the Commissioners, who stated in their Report,—"Our next

and last visit was to Portland, which, from its situation with reference to the Channel Islands, and as the boundary of the narrow part of the Channel in this direction, came naturally within the range of investigation."

Breakwater in Portland Bay.

The result was, the recommendation of the Commissioners "that a breakwater be constructed in Portland Bay, sheltering an area of 1,200 acres."

Description of quarries, and means for removing stone.

The quarries which produce the well-known Portland stone are situated on the summit of the island, from 300 to 400 feet above the level of the sea; and the best kind of stone, such as has been used in the construction of St. Paul's, Whitehall, and other buildings, lies under several strata of hard but inferior quality. The quarries were in consequence encumbered with vast piles of refuse stone, which had been removed for getting out the "best bed," as it is termed. This débris is made use of in the construction of the breakwater, and some of the coarse beds are quarried for the same purpose.

The stone is removed from the quarries by means of several lines of railways, which are arranged in a series of inclined planes, from the summit to the point where the breakwater joins the shore. The waggons are raised and lowered by wire ropes, working on "drums" placed at the head of each "incline," the loaded train in its descent drawing up the empty one from the breakwater.

The waggons, previously to being lowered down the incline, pass over self-registering weigh-bridges, by which the precise quantity of stone sent down is ascertained.

Work in which convicts are employed.

The convicts, besides constructing all the branch lines into the quarries, repair the "plant," and are otherwise usefully employed, and will be enabled when the arrangements are complete to send down from 1,500 to 2,000 tons of stone a day or more.

Expense of construction reduced by application of convict labour.

The expense of constructing this great national work, securing a naval station in time of war, or affording shelter and safety to the commercial marine in the long line of coast extending from Plymouth and Torbay to Portsmouth and the Downs, might in consequence be greatly reduced, as almost the whole of the works might be executed by convict labour.

Results of the Present System.

As regards the results of the discipline and industrial training at Portland, which, as before stated, has been more or less dependent upon the means of instruction afforded

to the men during their probationary discipline in separate confinement, they may, I trust, be considered to be highly satisfactory.

As a body, the men show a spirit of willing and cheerful obedience. The strictest discipline is maintained, with a very small proportion of punishment. The industry of the working parties is remarkable; and the fact that they exert themselves at their laborious occupation is manifested by the circumstance that those who are employed, constituting only about four-fifths of the whole body, execute work of a value nearly equal to the entire cost of the establishment.

Of their moral condition the Chaplain, and those who have the best opportunities of forming an opinion, speak in very favourable terms.

Results of the present system.

On the whole, though I felt very hopeful of success when Portland Prison was first occupied, the results have far exceeded my expectations; and, as I have frequently stated before, I would now repeat that, under Providence, it is due to the principle of *encouragement* held out in the rules and regulations sanctioned by the Secretary of State, and to the judicious and admirable manner in which they have been carried out by Captain Whitty and the Governors and Chaplains, who have had the immediate responsibility of administering the discipline.

The foregoing observations will, I trust, have given your Lordship a comprehensive view of the present system; and I trust it will also appear that, taken as a whole, it may claim to be founded upon broad and intelligible principles, and on past experience of much that has to be avoided, and much that affords encouragement to follow.*

The records of Parliament may be appealed to in proof of the fact, that there have been periods in the history of the convict system of this country when, speaking humanly, the demoralization of every individual sentenced to transportation was certain. No matter what might have been his previous character, what the amount of his contrition, or what the sincerity of his efforts and resolutions to retrace his steps, he was placed within the influence of a moral pestilence, from which, like death itself, there was no escape.

Any candid and dispassionate inquiry into the condition and prospects of the convicts who have passed through periods of penal and reformatory discipline at Pentonville and Portland, will prove beyond doubt that, to say the least

* For further observations on different points connected with Portland, and generally with the probationary periods of discipline on Public Works, see Appendix, p. 106.

of it, the *majority* of those now serving are likely, on their release, to be respectable in their station of life, and useful to those who engage their services, thus realizing the anticipations of the Pentonville Commissioners, that "a large proportion of our convicts *would be qualified on their discharge to occupy an honest position in their own or any other country.*"

THE CONVICT QUESTION.

Convict question.

The importance at the present moment of the different questions connected with "transportation," and the difficulties which will have to be provided for in consequence of its more limited application, imposes upon me the duty of laying before your Lordship such statistics and details, as will be required in the consideration of the subject.

Points to be noticed.

I propose to notice the various points in the following order:—

1. Present system of convict discipline, and its expense.
2. A modification of the present system by the establishment of district prisons, and the estimated expense.
3. Discontinuance of transportation, and substitution of imprisonment at home, and in certain of the colonies, with the estimated expense.
4. Additional prisons, and their probable cost.
5. Probable effect on the annual estimates of carrying out a general system of imprisonment.
6. Females.
7. Disposal of convicts.
8. Measures for assisting discharged prisoners.

1. Present System of Discipline, and Expense.

Notice in each cell.

As regards the general routine of the management, an extract from the notice which is placed in the cell of each prisoner received into the Government prison is annexed in Appendix, page 112, and will give a brief but comprehensive view of the system, which, at least up to the end of 1852, was in operation.

Three probationary periods of present system.

It may be observed that it consists of three probationary periods of discipline, viz.:—

1st. Twelve months' separate confinement.
2d. Labour in association on public works for a period proportionate to the sentence.

3d. A ticket-of-leave in one of the colonies, followed by a pardon, conditional or otherwise.

Pentonville and Portland Prisons may be taken as examples of the first and second periods of probation. The third is a *revocable* pardon, and it will be observed that the holder of it is subject to certain very salutary restrictions, calculated to deter him from crime, and thus protect the interests of others.

The system, though not yet fully developed, may fairly be assumed to have fulfilled, both at home and abroad, the different objects which require to be provided for. It has been a punishment severe in its aspect, but mild in its practical operation; and there can be no doubt, that, whilst the men have been disposed of greatly to their own advantage, the Imperial interests have gained some benefits, without materially prejudicing those of the colonies.

Expense of the Present System.

Estimates for 1852–3.

Abstract of the Estimates for the Convict Service for 1852–3.

The total number of convicts provided for in the annual estimates is 21,932, and the expenses of all the services, as detailed under the separate heads, may be thus stated:—

	£
Gross estimates for the convict prisons in Great Britain, for 7,824 prisoners -	182,331
Gross estimates for the convict prisons in Ireland, for 5,246 prisoners - -	53,912
Estimate for the removal of prisoners -	12,424
Gross estimates for convict service at Gibraltar and Bermuda, for 2,650 prisoners -	48,842
Estimates for transport services to the Australian colonies - -	95,000
Estimate for transport services to Bermuda and Gibraltar - - -	6,041
Estimates for the Australian colonies, &c. -	188,744
Total gross cost to be laid before Parliament	£587,294

Assuming, however, that the labour of the convicts is judiciously and profitably applied, the real cost to the country will be reduced by the value of their work at home, which may be thus stated:—

Brought forward - -		£587,294
Deduct earnings of 15,720 prisoners as follows*:—		
7,824 in Great Britain, at 12*l.* per head - - - - -	£ 93,888	
5,246 in Ireland, at 5*l.* per head -	26,230	
2,650 in Bermuda and Gibraltar, at 18*l.* per head - -	47,700	
		167,818
Total estimated net cost to the country for the current year, deducting the prospective value of labour -		£419,476†

2. A Modification of the Present System by the Establishment of District Prisons, with a view to a Reduction in the Number of Convicts to be sent Abroad.

Establishment of District Prisons.

The probable effect of acting on the recommendation of the committee of the House of Commons in regard to the establishment of *District* Prisons is thus adverted to in my Fifth Report:—

"Few persons beyond those whose duties bring them into immediate connexion with prisons, are aware of the great inequality of sentences passed in the different courts for similar offences; nor is it generally known that so few are sentenced to long terms of imprisonment, and so large a proportionate number to short terms of transportation, thus omitting altogether such an intermediate and lengthened term of imprisonment as would give a more just and proper gradation of punishment for different offences.

Average number sentenced to 7 and 10 years' transportation and to imprisonment.

"It will appear by reference to the Criminal Tables, that, taken on the last ten years, the average number of prisoners sentenced to 7 and 10 years' transportation has been 2,626, and that the average number sentenced to imprisonment has only been as follows:— 3 years, and above 2 years, 5; 2 years, and above 1, 473; 1 year, and above 6 months, 2,380. There are now so many country prisons, &c., in which separate confinement for 12 months might be enforced, that I believe if district prisons for carrying out the *remainder* of long sentences were established, a sentence of 2 to 3 years' imprisonment would have a sufficiently deterring effect, and the difficulties arising from the great number sentenced to transportation would be materially diminished.

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* Prisoners in separate confinement at - - 5*l.* per head.
„ on public works - - - 18*l.* „
Invalids and juveniles - - - 5*l.* and 3*l.* „
Prisoners in Ireland - - - - - 5*l.* „
„ Bermuda and Gibraltar - - 18*l.* „
Average, about - - - - - 12*l.* „

A portion only of this sum would be applicable to a reduction of the estimates laid before Parliament, as hereafter explained.

† This sum is irrespective of the value of labour bestowed on works in the colonies by the employment of the convicts who are now there, viz., 4,762 in Van Diemen's Land and 1,450 in Western Australia.

Deterring and reformatory effect of imprisonment not yet tried.

"As regards sentences passed in court, it would appear proper that imprisonment should be carried to its fullest extent before recourse were had to transportation; but, practically, neither the deterring nor the reformatory effects of imprisonment have ever had a trial on a sufficient scale to test their efficiency, excepting in the case of convicts under sentence of transportation. The experience, however, of the last few years carries with it the most conclusive evidence in favour of such a system; and if it were only to avoid the inconvenience and expense of transportation, it is well deserving of attention, especially in an economical point of view.

"Lengthened periods of imprisonment have not hitherto been resorted to, partly from their being no existing prison where sentences exceeding 12 months could be properly carried into effect, and partly from a sentence of transportation up to a recent period affording so easy a solution of all difficulty both as regards expense to counties and final disposal.

"With a view, however, of providing a remedy for this defect, and, at the same time, the means of reducing the number of convicts sentenced to transportation, it appears to have been the object of the Select Committee of the House of Commons in 1850 to press on the attention of the Government the importance of erecting district prisons expressly for the reception of all prisoners sentenced to periods *exceeding* 12 months. The resolutions of the Committee are as follows:—

Resolutions of the Select Committee of House of Commons on District Prisons.

"14. That after prisoners under long sentences have undergone a period of separate confinement, the remainder of their sentences ought to be passed under a system of combined labour, with effectual precautions against intercourse.

"15. That this object would be greatly facilitated by erection of district prisons, at the national cost, for the reception of prisoners under long sentences after they have undergone such previous separate confinement.

"16. That such district prisons should be maintained at the national cost, and the government of such prisons and all appointments and salaries of officers ought to be under the control of Her Majesty's Government."

The measures necessary to give effect to these important recommendations were under the consideration of Sir George Grey, and by his direction I prepared a memorandum on the necessary details. The following is an extract:—

Additional accommodation required.

"With regard to the additional accommodation which may be required, it may be assumed that, if facilities existed for carrying into effect sentences of imprisonment extending from 18 months to 3 years, without expense to the counties and boroughs, a large proportion of the present sentences to 7 years' transportation would be changed to imprisonment.

"The following statistics may serve as data for calculation:

In the year 1850 there were sentenced to	
7 years' transportation - - -	1,369
To imprisonment of 3 years and above 2 -	4
To imprisonment of 2 years and above 1 .	551

"If of these we take 1,000 of the sentences for 7 years, and allow 600 to cover the sentences of imprisonment, the number to be provided for in district prisons will amount to 1,600.

"The average sentences on this number might probably be assumed at 2½ to 3 years.

"It is recommended by the Committee, and it is an important condition to enforce, that all prisoners, previously to being sent to a district prison, shall have undergone a probationary period of separate confinement in the county prison. This period would probably vary from 6 to 12 months, and might be taken at an average of 9 months, leaving from 21 to 27 months of the entire sentence to be passed in a district prison. From this period there would be deducted a small proportion to be remitted as an encouragement to good conduct, leaving from 18 to 24 months as the actual period of confinement.

Separate confinement previously to being sent to District Prison.

"On these data the entire accommodation required in the district prisons would amount to one and a-half or twice the number annually sentenced, that is, from 2,400 to 3,200."

Expense of a Modified System.

The estimates for a modification of the present system, in substituting imprisonment for a proportion of the sentences of transportation, may be taken as follows:—

Abstract of estimates for a modified system.

	£	£
Gross estimates for convict prisons in Great Britain, 8,524 prisoners		197,731
Ditto in Ireland, 5,246 ditto		53,912
Ditto for the removal of prisoners		13,000
Ditto for transport services		37,500
Ditto for the Australian Colonies		152,600
Ditto for convict service at Gibraltar and Bermuda, 2,300 prisoners		46,500
Ditto for voyage to Bermuda and Gibraltar		6,041
Gross estimated cost of 16,070 prisoners		507.284
Deduct earnings,—		
Great Britain, 8,524 prisoners, at an average of 12*l.* per head	102,288	
Ireland, 5,246, at 5*l.* per head	26,230	
Gibraltar and Bermuda, 2,300, at 18*l.* per head	41,400	
		169,918
Total estimated net cost of 16,070 prisoners, under the present system, modified as proposed		337,366

3. Discontinuance of Transportation, and Substitution of Imprisonment at Home and in certain of the Colonies.

Discontinuance of transportation, and substitution of imprisonment.

The diminution in the number of convicts to be removed from Great Britain and Ireland, if imprisonment to the extent contemplated by establishing district prisons were adopted, would still leave perhaps 1,500 men to be annually transported. These would be men under the longest sentences, and assumed to be the worst class of criminals.

Arguments of those who oppose transportation.

In the consideration of the details a difficulty presents itself. The opponents of transportation make use of two arguments: one, that the mother-country has no right *to pollute a colony with her worst and most dangerous characters;* another, that in doing so she is *rewarding* crime, instead of punishing it. There is much force in both these arguments; and any modification of the present system which is calculated rather to increase than remove these objections, will not, I fear, enlist the cordial co-operation of any colony, and will thus fail in being a permanent settlement of this vexed and important question.

Changes necessary.

For these reasons I am led to the conclusion that some more extended changes than a reduction in the number sentenced to transportation will be found to be absolutely necessary.

Alteration in sentence.

With this view it appears deserving of consideration whether it would not be expedient to alter the terms of the sentence, abolishing *transportation*, and substituting *long terms of imprisonment*, to be carried out chiefly in this country, but *with power to enforce them* at Gibraltar, Bermuda, Western Australia, or other colony where suitable arrangements for the purpose may have been previously made.

This, at first sight, may appear to be a very sweeping change, and to be open to the most serious objections. Transportation has for so long a period been looked upon as the most severe of the secondary punishments of the country, that great importance is attached to it. This, however, I am persuaded, is more from the force of habit and old associations, and from forgetfulness of the progressive changes that have been going on, than from any more substantial considerations.

Transportation no longer dreaded.

As regards the majority of convicts, there is little doubt that the change of circumstances in the Colonies, together *with the public mind becoming familiarized with emigration*, has deprived this main element of the sentence of much of the deterring effect it may formerly have possessed, and hence its value in that light can no longer be relied upon.

If a clear, practical view of the *present* mode of carrying into effect such a sentence be also taken, it will be seen that it entails, or is commuted into, a long term of imprisonment, extending from 2 to 3 years, in the case of a 7 years' man, to 6 to 12 years, in the case of a life sentence, (the time being prolonged in case of necessity to the full period of the original sentence), to which is added such a mode of subsequently disposing of a prisoner, as will place him in a favourable position for earning his livelihood.

Transportation, as now carried out, virtual imprisonment.

To obtain the last object, it will be seen, on reference to the estimates, that the mother-country incurs a large additional expense, from which she only derives the advantage arising from the ultimate removal of a proportion of the men.

From these considerations it appears that in substituting sentences of *Imprisonment* for sentences of *Transportation*, the only change that will be required is a modification in the means of *subsequently disposing of the convicts on the expiration of their sentences*, which, as already observed, is the only point of difficulty in the convict question.

Change necessary in substituting imprisonment for transportation.

To provide for this, I would venture to submit that, with a view to relieve the Secretary of State from responsibility in the exercise of his power, the practice of his determining, according to his discretion, the place of imprisonment, and granting *conditional pardons* to prisoners, should be fully recognized by Parliament. Beyond this, I conceive there would be no necessity to make the least change in the present mode of dealing with convicts, under the first and second probationary periods of discipline, excepting, perhaps, an alteration (such as that suggested, p. 24) in the scales for regulating the sentences and periods of detention.

Convicts recommended for pardon.

At a certain minimum period of the sentence, a convict, whether imprisoned in this country or in a colony, would become eligible to be recommended to the Secretary of State for a pardon, to which might be affixed such conditions as appeared expedient.

It may be urged that it would appear necessary that a convict should be a party to the conditions on which he receives a pardon. This may be provided for by the periods of imprisonment being such, that the *minimum*, which it may be expedient to enforce, shall be sufficient, when taken in connexion with the conditions of the pardon, as a punishment or the offence.

The remission of the remaining period of the imprisonment will ensure, as a general rule, the consent of a convict to any reasonable conditions, or powers may be taken in any altera-

tion of the law, which will give the Secretary of State greater facilities for exercising his discretion.

Classification of Convicts.

Classification of convicts.

In connexion with the subject of a modification of the present system, or other changes, I would submit the expediency of establishing a more severe system of discipline, and of enforcing a more protracted term of imprisonment, in the case of men convicted of heinous offences, especially such as were accompanied by violence. This plan has already been partially acted upon by the removal of desperate characters, such as those in the Frimley gang, direct from separate confinement to Norfolk Island, and to the penal gangs in Van Diemen's Land. But it would appear desirable that it should be introduced as part of the system.

It would relieve the Secretary of State from much responsibility if a classification of criminals were made by the judge in passing sentence, who would exercise his discretion according to the character of the individual and the attendant circumstances, in the same manner as is now done in the case of the different classes of debtors and misdemeanants. Under such an arrangement, it might be necessary to send certain classes direct to the severest kind of penal discipline, and from thence remove them, to commence the ordinary routine in separate confinement and public works, so as to preserve in their cases, as in all others, a due gradation of punishment.

In connexion with this subject, I would again press the importance of the Secretary of State's receiving more accurate information, than at present, concerning the characters of convicts, and the crimes of which they may have been convicted.

Sentences of Imprisonment compared with Sentences of Transportation.

The average annual number, and respective terms, of sentences of transportation, in England and Wales, from 1844 to 1851 inclusive, have been as follows :—

Life - - - - -	74
Above 15 years - - - -	26
15 years and above 10 years - -	254
10 years and above 7 years - -	743
7 years - - - - -	1,231
Total - - -	2,328

Present periods of detention in this country.

As regards the sentences of *imprisonment* proportionate to the present sentences of *transportation*, it may be convenient to show the scales by which detention in this country is now regulated. Exclusive of the restrictions of a ticket-of-leave, it is as follows :—

Sentence of Transportation.	Ordinary term of Imprisonment.	Minimum term of Imprisonment.
7 years	3 years	2 years
10 „	$4\frac{1}{2}$ „	$2\frac{3}{4}$ „
15 „	7 „	4 „
20 „	$9\frac{1}{2}$ „	5 „
Life	$11\frac{1}{2}$ „	6 „

Sentences of imprisonment corresponding to those of transportation.

In considering this subject, I would venture to submit the following scale of sentences of imprisonment corresponding to the above sentences of transportation, and of the remissions which it might be found desirable to grant on the principle now in operation :—

Sentences of Transportation.	Average Sentence of Imprisonment.	Average Period to be enforced.
7 years	4 years	2 to 3 years
10 „	6 „	3 to 4 „
15 „	8 „	4 to 5 „
20 „	10 „	5 to 6 „
Life	12* „	6* „

Average period of imprisonment.

Taking into calculation the numbers sentenced to transportation, as above, for the various terms, and assuming that the same number will be sentenced to imprisonment, the average period, which I have adopted in this scale, will produce an average of between 3 and 4 years of actual imprisonment, previously to the commencement of any arrangements for the disposal of prisoners.

If the periods of actual imprisonment appear short, I would observe that they include all casualties arising from deaths, and pardons on medical grounds, or otherwise, so that the terms of imprisonment would in reality be protracted to a longer period in the case of the remainder, and would mainly be determined by the conditions which it might be expedient to annex to a pardon.†

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* In some few cases I consider that the imprisonment should be extended to the whole period of life.

† In the United States the majority of the sentences for serious crimes range from 2 to 4 or 5 years' imprisonment, but they extend to 10 years and intermediate periods exceeding 10 years, and in some few instances to life. Committals for "safe-keeping" are also recognized.

Convict question full of difficulties.

The solution of the convict question will always present many difficulties, arising from the important and complicated nature of the objects, both social and financial, that have to be provided for. It involves a *choice of evils*, but if the Government be forced to make a change, the more simple the alteration in the law, the more effectually will the difficulties be met and provided for, and the nearer will be the approximation to the advantages, which up to this period have been secured under the present system.

Expense of adopting Imprisonment as the Secondary Punishment of this Country.

Having made these preliminary observations, I will proceed to consider the probable expense of adopting Imprisonment as the secondary punishment of this country.

Assuming that an average period of 3 to 4 years' imprisonment were substituted for the present sentences of transportation, (and considering that a large proportion of those who now receive a sentence of 7 years' transportation would be well disposed of with a sentence of 2 years' imprisonment, I believe this to be a fair average),* the following may be assumed as data on which to calculate a *maximum* number and the expense. First, as regards England and Scotland.

If, as an assumed maximum, we take 3,000 as the number sentenced annually, and an average period of four years imprisonment, the following may be taken as data :—

Assumed annual maximum of prisoners.

Sentences of imprisonment extending from 18 months to life - - - -	3,000
Total number in confinement, on an average of 4 years' imprisonment, showing the total accommodation required -	12,000

Of this number there might be 2,000 in separate confinement, and 10,000 on public works and in invalid establishments, &c.

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* Deaths and pardons on medical and other grounds would also tend to increase the average term of imprisonment of others.

EXPENSE OF AN ASSUMED MAXIMUM NUMBER OF 12,000 PRISONERS SENTENCED IN GREAT BRITAIN, OF WHOM ONE-SIXTH IN SEPARATE CONFINEMENT.

Expense of an assumed maximum number.

	£
Maintenance of 2,000 prisoners in separate confinement, at 24*l.* per head	48,000
Maintenance of 7,500 able-bodied on public works, at 23*l.*	172,500
Maintenance of 1,500 invalids, at 25*l.*	37,500
Maintenance of 1,000 juveniles, at 20*l.*	20,000
Total gross cost of 12,000 prisoners	278,000
From this must be deducted the earnings of 12,000 prisoners, say at 12*l.* per head	144,000*
Total net cost to the country	134,000
Add net estimate for 1,200 females (p. 37)	19,200
Total net cost of 13,200 male and female prisoners	153,200

In the foregoing calculations it is assumed that a proportion of the prisoners would be employed on public works at Gibraltar, Bermuda, and Western Australia, in the following proportions :—

Number of prisoners to be employed at Gibraltar, Bermuda, and Western Australia.

Gibraltar and Bermuda	2,300
Western Australia	550
Total	2,850

Assuming an average period of imprisonment of 3 years at each of these places, there would be an annual relief of one-third of these numbers.

Transport expenses.

	£
Average expense of passage to Bermuda and Gibraltar, say 7*l.* 10*s.*; this for 800 prisoners would amount to	6,000
Expense of voyage to Western Australia for 200 prisoners, at 25*l.*	5,000
Total annual expense for transport of convicts to Gibraltar, Bermuda, and Western Australia, to be added to the maximum calculation	11,000

* Of this 144,000*l.*, the earnings of 12,000 prisoners, a portion of it will be applicable for the reduction of the Convict Estimates; the remainder, resulting from the labour on public works, will go in diminution of the estimates for such works under other departments, but is a real saving on the expenses of the country.

Ireland.

Number of convicts in Ireland.

It may also be assumed that the present number of convicts in Ireland will not be materially increased; and the following is given as an approximate estimate of numbers and expenses:—

		£
Number of convicts - - -	5,250	57,750

Abstract of the foregoing Estimates of an Assumed Maximum Number of 17,250 *Prisoners sentenced in Great Britain and Ireland.*

Abstract of the foregoing estimates.

		£
Gross estimate for 12,000 prisoners in England, and at Gibraltar, Bermuda, and Western Australia - - - -		278,000
Gross estimate for 5,250 prisoners in Ireland		57,750
Estimate for transport services to Bermuda, Gibraltar, and Western Australia, as before		11,000
Total estimated gross cost of 17,250 prisoners		346,750
Add estimated gross cost for 1,200 females -		24,000
		370,750
Deduct earnings of 12,000 prisoners, at 12*l.* per head as before -	£ 144,000	
Deduct earnings of 5,250 prisoners in Ireland, at 5*l.* per head - -	26,250	
Deduct earnings of 1,200 females at 4*l.* per head - - -	4,800	
		175,050
Total estimated net cost of 18,450 male and female prisoners - - - - -		£195,700

GENERAL ABSTRACT of the EXPENSE of the Three Systems, as before detailed.

Abstract of the expenses of the three systems.

—	Present System. 15,720 Prisoners.	Modified System. Imprisonment for a proportion, 16,070 Prisoners.	Discontinuance of Transportation. Assumed Maximum No. of 17,250 Male Prisoners and 1,200 Females.
	£	£	£
Gross Estimate - - -	587,294	507,284	370,750 *
Real cost to country, after deducting value of labour on public works, &c.	419,476	337,376	195,700 *

Distribution of the foregoing Number of Prisoners, and application of Convict Labour.

Distribution of the maximum number of prisoners.

It may be convenient that I should submit my views as to the distribution of this large number of men (17,250).

The present establishments at home and at Gibraltar, Bermuda, and Western Australia, will accommodate, on the present footing, as shown at page 2, 16,126 convicts.

The additional number to be provided for, therefore, only amounts to 1,124, which I should propose to place generally, in the most advantageous position for the profitable application of their labour.

Locality of District Prisons and application of convict labour.

With regard to the general locality of additional convict prisons and their extent, much would depend upon the means that might exist for the profitable application of the prisoners' labour.

On this point, which will be one of great importance in any change of system, I would beg leave again to submit the few observations which occur in my Third Report for 1849:

"There can be no question that if it be necessary from any cause to carry into effect probationary periods of discipline in this country, and that, in consequence, a body of 10,000 or 12,000 men are to be maintained by the Government, they ought to be usefully employed. *It is a confiscation of labour in which the Crown* has a vested interest.

"This, as a matter of *finance,* will not in the opinion of some be regarded as the least of the questions to be considered, and by all will be acknowledged to be of some importance.

"One of the objects at Portland is, to show to what extent this can be done consistently with other and more paramount consi-

* These sums do not include any expenses, either present or prospective, which may be necessary in the Australian colonies (Western Australia excepted). Such expenses will be only temporary, and will undergo some diminution each succeeding year, until finally extinguished.

derations, and when the system shall have been tested by experience, I hope, with the co-operation of the Admiralty and Ordnance authorities, to be enabled to render the labour in the dockyards and arsenals much more useful and valuable than it ever has been."

The experience since gained at Portland has more than realized all my expectations, both as regards the moral improvement of the men and the amount of work executed.

Value of labour performed at Portland Prison.

The ascertained value of the work performed by the convicts at that prison for the last four years has been as follows:

	£	*s.*	*d.*
1849	7,214	6	11
1850	14,067	16	7
1851	20,541	15	5
1852	20,568	0	0

During the past year the earnings have nearly equalled the entire cost of the establishment, and there is no reason to doubt that, wherever there exists the same facilities of employment, a similar result will be obtained.

I have carefully considered the subject, and am of opinion that, whenever the nature and extent of any work required the employment of from 500 to 800 men, for a period of five or six years, it would justify the erection of a removable prison, and the formation of a convict establishment for the purpose of executing it. It is in this way that prisoners under long sentences might be employed to the greatest advantage.

Works suitable for the employment of convict labour.

Harbours of refuge, fortifications, docks, &c., are the description of works the most suitable for the employment of convicts, from there being a large proportion which could be executed by unskilled labour. The works now in progress at Holyhead and the Channel Islands are of that nature, and the large docks, recently executed at Portsmouth and Devonport, would have been well adapted for the purpose.

The records of the public departments will, doubtless, show that there are many such works of acknowledged importance in a national point of view, which have been deferred or objected to, on the ground of the expense; and, if the Government be obliged to maintain the men, it becomes a matter of necessity, in order to carry out a sound system of penal and corrective discipline, that they should be *usefully* employed.

"The third and last duty of a Sovereign," says Adam Smith, "is that of erecting and maintaining those public institutions and those public works, which, though they may be in the highest degree advantageous to a great society,

are, however, of such a nature as that the profit could never repay the expense, and which it cannot, therefore, be expected that any individual should erect and maintain."

Merchantmen exposed to danger.

It will be admitted that our insular position has ceased to afford the means of defence on which we formerly relied, and that where, in former days, our merchantmen might ride safely at anchor, they would now be exposed to sudden and rapid incursions of hostile steamers. It will also be admitted, that no adequate measures have yet been adopted for meeting a change of circumstances so disadvantageous to us as a nation.

The relative position we formerly occupied can only be regained by a great addition to the standing army,* or by the construction of such works as will place the force at command in the best position to resist an enemy. The improvement of our national defences, the erection of a large work between London and the south coast, and a harbour of refuge half-way between Portsmouth and the Downs, to fulfil the same object as Portland, which occupies that position between Portsmouth and Plymouth, are of obvious and pressing importance.

These works alone, and others having similar objects, would furnish useful employment for many years, for all the labour that the Convict Department could spare, and with the assistance of one or two companies of Sappers, they might be executed with but little further expense, excepting for materials.

Prisons in Agricultural Districts.

Prisons in agricultural districts.

In the event of there being no public works, to which the labour of the prisoners could be devoted, with a view to promote the objects to which I have adverted, the less profitable application of it to agriculture might be resorted to. In such a case, my general view would be to obtain two or more tracts of good land, in a dry and healthy locality, contiguous to a railway, and in such a situation as to be conveniently accessible from the more densely populated parts of the country, so as to reduce to a minimum the cost of the removal of prisoners.

Penal Establishment for the Worst Classes of Convicts.

Penal establishment.

In considering the means necessary for giving effect to any change of system affecting the continuance of transportation, it is deserving of consideration whether it would not, in many

* It will be remembered, that when Napoleon threatened an invasion, our militia were as effective as the regular army, and ready to take the field on any emergency.

respects, be desirable to form a penal establishment *in this country*, for convicts convicted of the worst classes of crime, and for incorrigible convicts, and if any are sent abroad, to make a selection of the *best* and most deserving of the convicts, instead of the very *worst*.

In former times, when emigration was almost unheard of, the being transported beyond the seas carried terror into every gang of thieves in town or country; but my own impression is, that looking to the main object of punishment, which is to deter others from crime, this end would be more effectually obtained by imprisonment for a long series of years, or for life, in a convict prison at home or at Bermuda or Gibraltar, than, as heretofore, in a remote place like Norfolk Island, where a criminal and his fate are alike soon forgotten.

4. Cost of Erecting any additional Prison Accommodation.

Cost of additional accommodation.

With regard to the expense of providing any additional accommodation, so much depends on the facilities for erecting buildings, the cost of transport of materials, the expense of sites, &c., that I cannot venture to state with any precision, what would be the expense per cell, on the plan of Portland; but, under favourable circumstances, and exclusive of the site and houses for the officers, the cost of a prison on that plan, with chapel and all necessary offices, boundary walls, &c., would probably not exceed 35*l.* to 40*l.* per head, especially if convict labour could be applied in reduction of the expense, as at Dartmoor.

As regards officers' quarters, a rent equal to 3 per cent. on the outlay is paid on a proportion of them. Houses are, also, furnished to the superior officers in place of lodging-money, to which they would otherwise be entitled. Any outlay for these objects is not, therefore, capital entirely sunk, as in the case of prisons.

The expense of providing quarters for officers and barracks proportioned to 1,000 prisoners might amount to from 16,000*l.* to 20,000*l.*, or to be taken at about 16*l.* to 20*l.* a man, averaged on the number of prisoners. The total outlay for new prisons, therefore, might be assumed at about 50*l.* to 60*l.* per head, subject to the foregoing considerations; and, on these data, the cost of erecting the additional accommodation for prisoners *on public works* could be reckoned.

A certain proportion, say one-fourth or one-fifth, of every additional 1,000 prisoners would, however, be in separate

confinement. If, therefore, additional prison accommodation were required for them, the cost, including officers quarters, would be on a higher scale. Cost of additional accommodation.

The calculation for 1,000 prisoners, exclusive of site, might be taken as follows :—

	£
250 cells for separate confinement, added to other prisons, at 120*l.* per cell	30,000
750 cells for public works in new prisons, at 55*l.* per cell	41,250
Total for 1,000 prisoners	71,250
Equal to an annual charge at 5½ per cent. for liquidating Principal and Interest on Capital borrowed for the purpose	£3,918

5. Probable Effect on the Annual Estimates of carrying out a General System of Imprisonment.

During the first few years, and until such a system were fully developed, the annual expenses would vary, and be subject to no very precise calculation, chiefly arising from the uncertainty in what proportion the expenses in Van Diemen's Land would diminish. Effect on estimates of a system of imprisonment.

The following may afford data for forming an opinion. Sir W. Denison, in his despatch dated August 21, 1851, furnishes a return of the number of convicts holding tickets-of-leave, and those who are maintained at the expense of the Government respectively. Subjoined is the general summary :—

Maintained by Government, males	3,536
,, ,, females	1,226
Not maintained by Government, males	11,978
,, ,, ,, females	3,329
Grand total	20,069

If no additional convicts be sent to Van Diemen's Land, their number will gradually be reduced by expiration of sentence, and by a less number being under the restrictions of the tickets-of-leave, the infraction of which, probably, causes many to be returned on the hands of the Government.

For the purpose of calculation, it may be sufficient to assume that the majority would be disposed of in four or

five years, and the estimates would decrease in some regular proportion.

As regards the consequent accumulation in convict prisons at home, Gibraltar, Bermuda, and Western Australia, considered as a whole, the following data may be taken as affording an approximation to the truth.

First Year.

First year's estimates for maintenance.

During the first year it would be necessary to extend the period of imprisonment, and but few would become eligible for pardon.

The numbers, therefore, exclusive of Ireland, which will probably remain on its present footing, might be taken as at present, viz.:—

	Prisoners.	
At home - - - - - -	7,824	
Gibraltar, Bermuda, and Western Australia - - - -	3,200	
	——	11,024
Add 3,000, supposed to be the maximum number sentenced during the year. To provide for this increase it would be necessary *as regards maintenance* only to take for one-half for the whole year, viz. - - - -		1,500
The estimates for the first year would therefore be for - - - -		12,524

These might be taken at an average of 22*l.* per head.

Second Year.

Second year's estimates for maintenance.

During the second year it may be assumed that one-fourth of the original number would be disposed of, and that 1,500 would be added to the 3,000 which would have been received during the first year.

The estimates for the second year would therefore be,—

$$\frac{11{,}024 \times 3}{4} + \underset{\text{1st year.}}{\text{of the}}\ 3{,}000 + \underset{\text{2d year.}}{\text{of the}}\ 1{,}500 = 12{,}768 \text{ prisoners.}$$

Third Year.

Third year's estimates for maintenance.

During the third year, another fourth of the original number would be disposed of, and a similar increase take place. The estimates for the third year, therefore, would be—

$$\frac{11{,}024}{2} + \underset{\text{2 years.}}{\text{of the first}}\ 6{,}000 + \underset{\text{3d year.}}{\text{of the}}\ 1{,}500 = 13{,}012 \text{ prisoners.}$$

Fourth Year.

With the same arrangements as in previous years, the estimates for the fourth year would be— Fourth year's estimates for maintenance.

$$\frac{11{,}024}{4} \text{ (of the first 3 years.)} + 9{,}000 \text{ (of the 4th year.)} + 1{,}500 = 13{,}256 \text{ prisoners.}$$

Fifth Year.

In the fifth year, the 11,024 prisoners with which the new system commenced, would be, under the assumed arrangements, entirely disposed of, and for this year the estimates for *maintenance* would be,— Fifth year's estimates for maintenance.

$$\frac{12{,}000 \times 3 \text{ (4 years' accumulation.)}}{4} + 1{,}500 \text{ (of the 5th year.)} = 10{,}500 \text{ prisoners.}*$$

If to the number as above shown in each year be added the number of prisoners in Ireland, assumed to be the same as at present, viz., 5,246, the result will show the number on the hands of the Government in each year. The assumed maximum number being 12,000, when the system is in full operation, the total number would be 17,246.†

Erection of additional Accommodation.

In connexion with the probable operation on the estimates of an extensive change of system, the subject that will claim the first consideration and prompt action upon any decision of the Government, will be the erection of the necessary accommodation. Erection of the necessary accommodation.

It would appear desirable to take a comprehensive view of all that will be required during the next four years, and to obtain the sanction of Parliament to the necessary outlay.

The probable annual accumulation of convicts during the next four years has been shown in the foregoing calculations, in which it will be observed that the numbers will increase in a regular ratio. When, however, those convicts who are now in confinement shall have been disposed of, the permanent number, who will have been sentenced in Great Britain during the above period will fall to about 12,000.

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* This is the number whose *maintenance* would require to be provided for in the estimates; but before the expiration of the fifth year, *accommodation* would be wanted for 12,000. It must also be remembered that these calculations, both as regards maintenance and accommodation, are exclusive of females, of whom, judging from the number at present annually sentenced, and taking three years as an average period of imprisonment, I suppose there will be an accumulation of 1,200.

† The present number on the hands of the Government at home and in the Australian Colonies may be assumed to be 21,932. This number is exclusive of females in England, which have been assumed at 450.

Accommodation likely to be required.

On these data, it would appear that, in addition to the accommodation now at the disposal of the Government, viz. 10,880, as shown at page 2, there will not, probably, be permanently required more than from 1,200 to 1,500 cells; but that during the third and fourth years a greater number will be needed. Hence, the necessity of at least taking immediate measures for the erection of the amount of accommodation which will be necessary as a *permanent* provision, and of adopting some *temporary expedient* for the excess, above this amount, as the exigency arises.

It would be prudent not to determine too hastily, but the Secretary of State should have the power of meeting any emergency, and of immediately providing for it.

In accordance with your Lordship's directions, I have already made arrangements for the erection of an additional wing at Portland, which will raise the accommodation in that important prison from 1,070 to 1,500; and the appropriation of Brixton for females will give additional accommodation for about 400 male convicts at Millbank.

It is, also, under consideration to erect prisons at Chatham and Devonport, or Gosport.

6. Females.

Females.

In the foregoing calculations I have, generally speaking, excluded females, for whom there has existed separate accommodation at Millbank, which has not been included in the general returns, but the females in Ireland are included.

The number annually sentenced to transportation cannot be ascertained from any returns to which I have access; but those who have been received at Millbank Prison, after an average detention of about six months, have been embarked with tickets of leave for Van Diemen's Land.

Number sent abroad.

An average number of 450 have been sent out annually from Great Britain on this plan, and about 400 from Ireland, making a total of 850.

Substitution of imprisonment for transportation.

Assuming sentences of imprisonment to be substituted for transportation in the case of females, I conceive they might be subjected to a few months' separate confinement, according to circumstances, and then be employed in modified association at suitable industrial occupations, for periods proportioned to their respective sentences.

If the present average number of 450 were sentenced to various periods of imprisonment, and an average of about $2\frac{1}{2}$ to 3 years were taken as data, accommodation for about

1,000, in addition to that which now exists, would be found sufficient.

Purchase of Brixton rison.

Under your Lordship's authority, the Prison at Brixton, formerly belonging to the county of Surrey, has been purchased for 13,000*l.*, and the additions and alterations which are now in progress, will render it capable of accommodating from 700 to 800 females. Any excess above this number may, probably, be conveniently provided for in county prisons.

Expense of 1,200.

The cost of an assumed maximum number of 1,200 females might, therefore, be taken as follows:—

	£
Maintenance at 20*l.* - - -	24,000
Deduct earnings of 1,200 females at, say, 4*l.* - - - -	4,800
Total net cost of 1,200 females - -	£19,200

Disposal of females.

In the event of any large number of well-conducted convicts being selected for conditional pardons, and embarked for Western Australia, or any other colony, I think it would be desirable that a proportion of females should from time to time be selected for the same destination, and that this point should be specially provided for in any arrangements that may be made for affording a colony the advantage of convict labour. This plan would be calculated to reduce the amount of accommodation required at home.

7. Disposal of Convicts.

Disposal of convicts.

The foregoing explanation of the present system of discipline and management to which convicts are subjected in this country, whilst undergoing the first and second periods of probationary discipline, will, I trust, have satisfied your Lordship, that the measures which have been adopted are generally calculated both to deter and reform.

Difficulties on the termination of the penal discipline.

The real difficulties in the solution of the "Convict Question," commence on the *termination* of the penal discipline, when it becomes necessary to release the prisoners from direct control. A ticket-of-leave in Van Diemen's Land, or Western Australia, has hitherto fulfilled several objects, and proved of the greatest advantage and convenience to almost all the parties concerned. The liberated prisoner has been placed in a sphere where he would have the opportunity of doing well for himself—the mother-country has been relieved from all anxiety as to his future career; and the colonies, however much they might object,

on principle, to receive the refuse of a population, have unquestionably derived great and permanent benefits.

Result of discontinuance of transportation to Van Diemen's Land.

The discontinuance of transportation to Van Diemen's Land will, however, close the main outlet by which these advantages have been hitherto secured. It may be said, that we have only to send convicts to some other colony, or to found a fresh one, for the purpose of continuing the system. In taking a practical view, however, of the means of obtaining all that is required, it will be apparent that it is only in a *settled, prosperous* colony, that there exists the means of absorbing the labour of a convict, whether under the modified freedom of a ticket-of-leave, or when he receives his pardon, or is released on expiration of his sentence.

On this point, the only question that arises is, whether any colony, so circumstanced, is willing to receive the convicts on the same conditions as Van Diemen's Land. If no such colony can be found, it remains to be considered whether, with a view to combine the deterring effects of transportation with the future disposal of the convict, any fresh penal colony could be founded.

If a *settled* colony urges objections which are admitted by the mother country, there remain only the alternatives of founding fresh colonies which will receive them or releasing them at home, where, if really dangerous to society, they can be more effectually controlled than anywhere else.

The objection to a purely penal colony is, that the same difficulty which is now under consideration will be sure to arise on the expiration of the sentence. If the neighbouring colonies will not willingly receive such a class of convicts, the mother-country would be obliged to fetch them home, or otherwise dispose of them as is now done in the case of the convicts at Bermuda, Gibraltar, and Norfolk Island.

In considering the alternative, however, of releasing them at home, our own past experience is not, after all, so very discouraging. It must be remembered that until within a very recent period all convicts under sentence of transportation for seven years were indiscriminately sent to the hulks, where it is notorious they were placed in circumstances that could not fail to be in the highest degree demoralizing.

Former treatment of men sentenced to seven years' transportation.

After this course of training, they were, very generally, released with a *free pardon* at the expiration of about one-half the period of their respective sentences. The number so released was very considerable. In the years from 1843 to 1847, there were discharged by free pardon no less than 3,450 so circumstanced. There can be no doubt that the

greater proportion of them, if not originally bad, had become so, and, generally speaking, more *dangerous* than men who had been subject to a better discipline.

There could have been little chance of any such obtaining employment by their own exertion, and no steps were taken by others to procure it for them; and yet, though it might fairly have been anticipated that the consequences of such periodical additions to the criminal population would be seriously felt, so far as I have been able to ascertain, no material effect was produced.

Release in this country of certain classes of criminals harmless.

Since the subject of Convict Discipline has engaged the anxious attention of the Government, and ameliorations have been introduced, which would render the release of certain classes of criminals in this country comparatively harmless, there have existed great facilities for the disposal of all convicts in the colonies with tickets-of-leave. This has rendered unnecessary the consideration of any measures calculated to remedy the evils which might naturally have been expected from the former practice of granting *free pardons* after a course of training in the hulks.

Conditional Pardons and other Means.

Conditional pardons, &c.

The change introduced of late years into the convict prisons, and experience of the favourable effects which have been produced on the general character of the convicts by an improved discipline, confirm the opinion I expressed in my third Report for 1849, that—

"Looking to my own experience, and to the opinion of others who have had better opportunity of judging, I do not hesitate to express my conviction, that it would be quite possible, without detriment to the public interests, materially to reduce the number of convicts to be annually sent abroad, *by granting conditional pardons to the best-conducted men*, after periods of confinement proportioned to their respective sentences, on showing that they had the means of earning their livelihood, or obtaining securities for their good conduct."

In the event of its becoming necessary to dispose of convicts on discharge in this country, I would further venture to repeat the suggestion that, as a means of giving more effectual security to the public, *some of the restrictions* enforced in the colonies on the holder of a ticket-of-leave might be advantageously applied to a convict receiving a *conditional* pardon in this country; and that the system of demanding sureties for good behaviour might be more extensively acted upon.

It is impossible to state the precise operation of such

Conditional pardons, &c.

measures, or the extent to which they might be applied, but if the very worst characters were imprisoned for the whole term of life, or during their respective sentences at some penal establishment at home, or in Gibraltar, or Bermuda; others disposed of by tickets-of-leave in Western Australia; others released with *conditional pardons*, or encouraged to emigrate; and a portion drafted into companies of labourers under military discipline, as suggested further on; I believe that no sensible inconvenience could possibly be experienced.

My opinion is founded partly on a general knowledge of the character of the convicts, the reformatory effects of the moral and industrial training to which they are subjected, and the means that would exist of dealing with individuals *according to character and circumstances*. My convictions also rest on a consideration of how very small is the proportion of this proscribed race when compared with the majority of criminals, who, without any advantage of moral training during their confinement, are turned loose upon the country after their imprisonment, to commence again their career of crime.

An abstract of one of the valuable returns compiled by Mr. Redgrave will illustrate my meaning. I have given it in the Appendix, page 120, but the following is the substance of it.

Number of offenders in England and Wales.

In 1851 there were tried in England and Wales 27,960 offenders, divided into classes as follows:—

1st Class.		Offences against the person, including murder, attempts to murder, manslaughter, rapes, assaults, &c.	2,218
2d	„	Offences against property, committed with violence, including burglary, assaults with intent to rob, menacing letters to extort money.	2,060
3d	„	Offences against property, committed without violence, including cattle and horse-stealing, larceny, receiving stolen goods, &c.	21,906
4th	„	Malicious offences against property, including arson, killing and maiming cattle.	30
5th	„	Forgery and offences against the currency -	808
6th	„	Other offences not included in the above classes.	663
		Totals - - -	27,960

Of the above number, 2,895 were sentenced to various periods of transportation; 18,695 were imprisoned, fined, &c.; and 6,359 were acquitted. From the number sentenced to

transportation must be deducted one third, as having been disposed of in various ways in this country, so that not more than 2,000 out of the 27,960 offenders were actually transported. It is further deserving of remark, that of this number only 379 were under sentence for more than ten years, just one in 70 of the total number.

Disposal of offenders in 1851.

To the gross total of 27,960 offenders, as shown in the abstract, Middlesex, including London, contributed as follows:—

Number of offenders in Middlesex in 1851.

1st Class	333
2d „	168
3d „	3,138
4th „	8
5th „	222
6th „	105
Total	3,974

Of the above number 422 were sentenced to various periods of transportation, 2,810 were imprisoned, fined, &c., and 742 were acquitted. Deducting one-third from the 422 sentenced to transportation, leaves only about 280 actually sent abroad.

It appears from the above figures that not more than one in 14 of those who are tried in the course of a year are sent abroad. It cannot be denied that there is far greater danger to be apprehended from the release of the remainder, who are returned upon society; and yet this circumstance appears to be altogether overlooked.

My impression is, that if 1,000 prisoners who had undergone an average period of four years' corrective discipline and industrial training, were released in this country, they would not do so much mischief to society in a given time as another 1,000 taken indiscriminately from among those who are discharged at the gates of some of our large prisons, from which as many as from 8,000 to 10,000 are released in the course of twelve months.

In former times when convicts were confined in hulks, it would have been otherwise, but circumstances are altogether changed.

No great inconvenience from projected change of system.

From the foregoing considerations, I am led to the conclusion that the extensive change of system, which has been under consideration, is not likely to entail any sensible inconvenience; and I am supported in my opinion by the views of the Commissioners of Pentonville, recorded in their Sixth

Report, signed by the Earls of Devon, Chichester, and Harrowby, Sir W. Molesworth, and others, &c. They say—

"We conclude these general observations by a remark suggested by the joint consideration of the favourable and unfavourable circumstances in those reports.

"These appear to us to demonstrate, that whilst the discipline and instruction at Pentonville have not in all cases prevented the exiles from relapsing into crime when exposed to severe trials and demoralizing associations, by far the greater part of them have become useful and valuable servants, superior, as we are told, to the average of free emigrants.

"We regard this view of the subject as highly encouraging; for it seems to prove that if this system were generally introduced a large portion of our convicts *would be qualified, on their discharge, to occupy an honest position in their own or any other country;* and if so, we believe that, under ordinary circumstances, there would seldom be wanting motives of self-interest and benevolence to afford them that employment which would enable them to become useful and exemplary members of society."

Degrees of moral turpitude in convicts.

It is a great though a very common mistake to regard all who receive a sentence of transportation as being irreclaimably bad, and as being of one class, and sunk to the same depth of moral turpitude. The fact is not so. There is every shade of difference in character, as well as in the circumstances of temptation under which their crimes may have been committed.

The experience of all who have the best opportunities of judging will, I am satisfied, coincide with the opinion of the House of Commons, 1850, as expressed in the following resolution:—

"That the Committee concurs with some of the most experienced witnesses that have been examined, in the opinion that a great majority of convicted prisoners are open to the same good motives and good impulses which influence other human beings, and, therefore, that a system of encouragement to good conduct, and endeavours to inspire feelings of self-respect, self-reliance, and hopefulness for the future, which have been tried in some of our largest establishments, ought to be adopted, so far as it is practicable, without impairing the penal and deterring character essential to any system of imprisonment."

Formation of Companies of Labourers under Military Discipline.

Companies of labourers under military discipline.

In considering the means of disposing of men who have gone through a proportion of the imprisonment that may have been awarded, and are eligible for conditional pardons, the formation of a corps of labourers under military disci-

pline for service in the West Indies, or in Africa, or in other of the colonies, is not undeserving of attention.

The moral results of the present system of discipline are such as to remove all doubt as to obtaining good and efficient service from a body of men selected for such a purpose.

Military labourers.

My view would be to carry out certain minimum periods of probationary discipline, as at present. When the men might have become eligible for a ticket of-leave, the remaining term of their respective sentences should be commuted into service as military labourers. As they would all have been trained to certain trades, such a corps would be invaluable in colonies where labour was high, as the men might be employed at their respective trades and occupations in the same manner as the Royal Sappers and Miners and the late Royal Staff Corps.

There would be great objections to their taking duty with the regular troops, but the same objections might not possibly hold good with regard to West India regiments. It would, however, be an object not to degrade them by the name of a "condemned regiment," but to adopt measures for rendering them thoroughly efficient. By means of military discipline a more efficient control would be maintained over all who were so disposed of, than under any other plan yet tried, and I should not hesitate to recommend their services being applied wherever they might relieve regular troops, or be otherwise useful.

Whilst on this subject I cannot but advert to an objection which was urged at a recent period, when the possibility of an invasion was talked of, and which if the number of convicts were increased, would have greater force.

It was held by some to be dangerous to have large masses of convicts assembled at Portland and in our dockyards and arsenals, and being required to offer an opinion upon the subject, my experience of the character of the men enabled me to state, that out of 6,000 who were then under sentence, 4,000 could be produced who might be relied upon to go wherever they were ordered, and be as serviceable in the field as others who had an equal time for drill and exercise. Further reflection has not caused any change in that opinion.

Tickets-of-Leave in Barbadoes.

Tickets-of-leave in Barbadoes.

Sir W. Colebrooke, Governor of Barbadoes, who has brought his great ability and experience to bear on this

point, thus adverts to the operation of a system of tickets-of-leave in that island.

Extract from a Despatch from Sir W. Colebrooke.

His Excellency states in a despatch to Earl Grey, dated June 9, 1851 :—

"Of the number of those discharged with tickets-of-leave under the Act (13 Vict. ch. 21), and the reports made to me of their industry and good conduct, none have been recommitted for any offence, and the grant of good-conduct badges to prisoners has tended further to encourage orderly behaviour in the gaol.

"The success during the last two years of the Act for granting tickets-of-leave has proved that under a reformatory system of prison discipline, by which incentives to good conduct are held out to prisoners, it is practicable, with the assistance of the magistrates, aided by a rural constabulary, to guard against the renewal of bad habits, to which discharged prisoners are exposed in populous places ; and adverting to the difficulties attending the deportation of convicts, arising from the reluctance of other communities to receive them as such, it is *important to have ascertained that they can be corrected and controlled at home, although in many cases their voluntary emigration may be afterwards encouraged with advantage to themselves and the public.*

"One effect of a reformatory system of discipline in prisons acting on the habits of convicts, and holding out to them the means and motives for improving their own characters, may be expected to be the *removal of the popular objection to employing them when discharged* with favourable testimonials of their conduct from the prison authorities, and especially when withdrawn from the influence of evil associations by the surveillance exercised over them as holders of 'tickets-of-leave ;' nor is it improbable that the reluctance to receive them as emigrants, in other communities where labour is in greater request, would yield to acknowledge that they had been previously restored to society, without a renewal of their depraved habits and associations."

8. Measures for assisting Discharged Prisoners.

Measures for assisting discharged prisoners.

In my Second Report published in 1847, I observed that the difficulties inherent in the treatment of Juvenile Criminals were "increased by the consideration that it is of no use instructing criminal children, unless they are provided for in some way on discharge." The same observation is equally true as regards adult prisoners ; for it is too obvious to need remark, that, however they may have been led by the reflection which has been forced upon them in confinement, sincerely to deplore their past career of crime, and to form good resolutions for the future, or with whatever dread of a prison, the stern discipline to which they have been subjected, may have inspired them, it is vain to expect they will be able to avoid a repetition of their offences, unless they

can obtain the means of subsistence on discharge. What chance will they stand in the struggle against the pressure of wants which *cannot be postponed*, unless they receive some help in their search for employment?

Several establishments for this purpose have been formed, amongst which are the Philanthropic Society, which now carries on its operations at Red Hill, Reigate; that for females at Camden Town, one in Great Smith Street, Westminster, and a few others. The application of hundreds for admission into the last mentioned institution, under circumstances that preclude all doubt of the sincerity of their desire to abandon criminal courses, or at least to try the effect of a change, have been unsuccessful because of its scanty funds; and it is well known that some have been compelled to resort to their former pursuits.

Establishments already existing for assisting discharged prisoners.

Private individuals, too, have in the most praiseworthy manner exerted themselves in this useful and Christian field of action; and, conspicuous amongst them is Mr. Wright, of Manchester, through whose sole instrumentality upwards of 150 prisoners have after their discharge procured situations. How rich the harvest of reward that has followed his endeavours may be gathered from the fact, that, out of all these cases, he has heard of but one relapse.

Exertions of individuals.

These voluntary efforts of benevolent persons are, however, wholly insufficient to meet the necessities of the case, and can accomplish but a very small portion of what is required. They have indicated the void in our social arrangements which requires to be filled, and the great success of the existing institutions proves their utility, and the urgent necessity under present circumstances for increasing their number.

If only on the low ground of financial expediency, Government would do well to second and stimulate these humane efforts. Many a man, whether from having been brought to see the error of his ways, or, from the dread of punishment, would gladly avoid again coming within the grasp of the law, if it were in his power to maintain himself by honest industry. Without friends or the means of employment, what are they to do? That question demands an answer.

Financial expediency of such establishments.

Sir W. Colebrooke well remarked on a recent occasion of laying the first stone of a new prison in Barbadoes, that—

Remarks of Sir W. Colebrooke.

"There is a duty which society owes to the discharged prisoner which, until of late years, may have been too much neglected in all countries. The taint of crime is not readily removed, and the difficulty of regaining a place in society, when once forfeited, has

caused but too many to relapse into evil associations. Some interposition is therefore needed in the way of prevention, and by placing them for a time under the surveillance of the magistrate, and in situations remote from temptation, they are better enabled to regain a respectable position; and examples may be adduced where this has been followed by decided reformation.

"We should deceive ourselves, however, if we were to regard the subject as one in which there are not great difficulties to surmount, but which, for the sake of society, it is not the less our duty to encounter with a resolution to overcome them."

Number likely to be discharged annually.

Within a few years there may probably be 9,000 to 10,000 convicts undergoing imprisonment in this country, and perhaps 2,000 to be annually discharged on completion of their sentences.

Of this number it may reasonably be anticipated that a large proportion will do well for themselves, if only afforded very moderate pecuniary assistance. They may have friends or property, or a trade requiring but little capital to fall back upon, but very many will require the active hand of benevolence, or a comprehensive scheme under the control of the Government, for giving them some measure of assistance until they can provide for themselves.

With respect to emigration, many would gladly avail themselves of being placed in circumstances to go away, some of them from a feeling that in returning home they would disgrace their friends, others from a desire of change and hope of making a fresh start in life.

Release in this country with conditional pardons.

The class requiring assistance in this country would probably be most difficult to deal with; but, if they were released with *conditional*, and not *free pardons*, and some systematic efforts were made to enable them to meet the difficulties of their position, I should confidently expect a much more favourable result than might be generally anticipated. Rather than leave them to their fate, and to the chance of the Government being again burdened with the cost of a trial, and other attendant evils, I believe it would be desirable to retain the services, on Public Works, of such well-conducted convicts as could not readily find employment. They might receive rations and clothing, to be paid for out of moderate wages. It would be an object to afford every possible facility for their dispersion, as demands for their services arose or opportunity offered. Their stay would be voluntary, and from being accustomed to obedience and discipline, there would be little difficulty in maintaining good order.

This suggestion is the same in principle with that pro-

posed in a letter addressed by me to Sir George Grey, in October 1849, with reference to the employment of convicts on remote works in Western Australia, from which the following is an extract :—

Extract from a letter to Sir Gorege Grey respecting employment of convicts in Western Australia.

"On the important point of the means of employment, I would state my opinion, that, though it would be quite practicable to execute any colonial work that might be required in the immediate vicinity of the penal establishment, I see no ground for hoping for a favourable result in the application of convict labour at a distance.

"I conceive, therefore, that the execution of the projected road by such labour, should not be attempted. Any effort to maintain discipline among a body of convicts in a remote situation, where no effective means of control can be established, must of necessity fail, as regards the moral object.

"Authority, duly supported, will induce submission, but, when authority cannot be exercised with effect, antagonism and resistance take the place of submission.

"In order to avoid the many difficulties and evils which may be anticipated, if anything of the character of a penal gang be established, and, at the same time, to accomplish the object of having the road of 60 miles in length made at a reasonable cost to the Colonial or Home Government, the principle of the convict system now in operation might, I think, under the favourable circumstances of the colonies, be extended in the following manner :—

"I would propose that the men on discharge from the penal establishment should be required to undergo a further state of probation before they should be permitted to engage in private service, or enter upon the full advantages conferred by a ticket of-leave. During this period of comparative freedom they should be obliged to execute a certain amount of work for the Government in such places as might be determined.

"I would not propose they should be confined, or be under any kind of penal coercion. If they misconducted themselves in any way, their probationary ticket-of-leave would be withdrawn, and they would only entitle themselves to release from the restrictions imposed by properly executing the work assigned to them, and by having conformed to such rules for their guidance as might have been deemed necessary.

"The work executed might be measured and the value placed to their credit, to be afterwards applied in furtherance of the object of the Government and for the benefit of the men.

"This probationary period would appear to offer the most favourable opportunities for bringing into effect the regulations established by Earl Grey with reference to the repayment, by a ticket-of-leave holder, of the cost of his passage previous to his obtaining a conditional pardon.

"If the men were encouraged by the work being estimated at its full value, and that they received weekly, in addition to rations, a small proportionate amount of their earnings, to be expended at discretion, I have little doubt it would prove a powerful stimulus to

Employment of convicts in Western Australia.

exertion, if, as there appears reason to believe, it would be an object to them to obtain their pardon, with a view to remove from the colony.

"The period of gaining this indulgence might be regulated with reference to the demand for labour and other circumstances, so as to avoid having a greater number of ticket-of-leave holders on the Government works, or in private service, than were required.

"With reference to the execution of the work, facilities should be afforded to the men for building huts in convenient situations; a limited amount of bedding should be allowed; they should receive rations at a fixed price, and be enabled, on the certificate of the superintending officer, to purchase provisions and clothing from the commissariat to a limited extent, proportionate to their earnings.

"In fact, the system would be similar to that in operation, in executing a sub-contract on a railway; each party would virtually have a small contract to perform, but there would exist stronger inducements to exertion and good conduct, and greater fear of the consequences of misconduct, than can be brought to bear on free labour; or, if it were practicable to let the execution of the road to a contractor, and afford him the means of obtaining the required labour, it would in some measure relieve the Government from responsibility, and bring into play the vigilant superintendence of persons watching their own interests. In such case, however, the Governor should retain strong powers for protecting the interests of the men, which might otherwise be prejudiced by the cupidity of a contractor, who would have different objects from those of the Government."

The instructions given by Earl Grey to Sir W. Denison, with a view of carrying out the same principle in Van Diemen's Land, are given in his Lordship's despatch of 25th July 1850,* from which the following is an extract:—

Instructions given by Earl Grey relative to employment of convicts in Van Diemen's Land.

"But if this rule of requiring newly arrived convicts to take up their abode in the more remote districts is to be adhered to, it will, I am aware, be necessary to adopt some means by which employment in these districts may be ensured to the convicts who are required to remain in them; and I will proceed to detail to you the measures, which I propose should be adopted with this view, and for the purpose of enforcing the regular payment by convicts holding tickets-of-leave of the sums charged against them. I have already said that, for the latter purpose, no such convict is to be allowed to pass from under the immediate charge of the Government, until he shall have entered into a contract to serve for not less than a year some private employer, who will be responsible for paying to the Government the required deduction from his wages, but convicts holding tickets-of-leave, who have been guilty of no misconduct, and remain under the charge of the Government only because they are unable to obtain private employment, are not to be subject to coercion in

* Parliamentary Papers presented August 1850, page 146.

the gangs. The system I propose to adopt with regard to them is, that they should be employed by the Government in such useful labour as can be found for them, that credit should be allowed them at the full rate of wages, obtainable in private service for the value of the work they may perform, (which should invariably be task-work), but that, instead of being paid in money, they should receive such supplies as they might choose to draw for, (including a reasonable proportion of tobacco and other articles, which may rather be termed luxuries than necessaries,) the cost of these supplies being charged against them, and the balance of their earnings being credited to them in reduction of their debt to the Government.

Employment of convicts in Van Diemen's Land.

"Assistance should be given to convicts placed in this situation, to provide themselves with huts in situations convenient for their labour, and, so long as they should continue to come regularly to their work, for the same number of hours as are usually expected from free labourers, and to conduct themselves with regularity and propriety, no restraint should be placed upon their freedom of action, during the remainder of their time. Of course, any attempt to leave the district in which they are placed, or a failure to come regularly to their work, or to exert themselves during the hours of labour with proper industry, should be immediately met by withdrawing their tickets-of-leave for a longer or a shorter time, according to the degree of their misconduct, and by placing them in the probation gangs, subject to the same discipline as other convicts who are in that situation."

The Earl of Chichester in his evidence before the Select Committee on Prison Discipline, in 1850,* referred incidentally to an intermediate stage of probation, previously to the final discharge of the prisoner. His Lordship observed:—

Evidence of the Earl of Chichester respecting an intermediate stage previous to final discharge.

"Experience has, I think, proved that those systems of prison discipline, which are based solely or mainly on the theory of reformation, have failed in both the essential requisitions of a penal institution; I mean they have failed to reform as well as to deter. There is, no doubt, much truth in what has been advanced by some of the humane advocates of these systems, but their principles and their reasoning apply to a *state of things most desirable in itself, as an intermediate stage between one that is strictly penal and entire liberation,* but which neither the present condition of our penal establishments, nor of our criminal code is qualified to admit.

* Page 438.

CONSTRUCTION OF PRISONS.

Construction of prisons.

No improvements in the construction of prisons have suggested themselves during the past year; but I continue to be of opinion that, excepting in Houses of Correction, to which the prisoners of populous cities and towns are committed, there is no advantage to compensate for the expense of constructing separate airing yards, or dividing the chapel into separate stalls.

Exercising yards.

As regards exercising yards, there is no question whatever that the health of prisoners is better promoted by active exercise carried on under close supervision than when they wander listlessly about a small yard.

As regards the division of the chapel into separate stalls, or bringing the prisoners together for divine worship, Mr. Reynolds, the Chaplain at Wakefield, who is a warm advocate of the separate system, and has had experience of both plans, thus expresses his opinion:—

Remarks of the Rev. Mr. Reynolds on separation in chapel.

"The new chapel has now been in daily use for five months, and we have therefore had full opportunity of judging of its mode of construction, and of comparing it with the arrangements acted upon before it was finished, namely, for the prisoners to be assembled for Divine Worship without any attempt at individual separation. I am of opinion that the plan of the new chapel is very objectionable. I object to it in the first place, because I think it is calculated to produce disagreeable associations in the minds of the prisoners regarding a place of public worship. I object to it in the second place, because I believe it to produce a chilling feeling of isolation opposed to the proper social character of public worship. I object to it, in the third place, because, instead of preventing communication between different prisoners, it affords increased facilities for communication; in the fourth, because it affords an opportunity to the ill-disposed to employ their time in chapel in writing on the wood-work of the stalls instead of attending to the service, and opportunities, also, of disturbing the worship of the other prisoners by making noises, which it is very difficult to trace to any particular prisoner. These evils we have found to exist in fact, notwithstanding a great number of officers are employed in watching the prisoners in chapel, itself an injurious arrangement, but, in fact, no number of officers in a chapel thus constructed can prevent communication from going on among the prisoners.

"I would add, that although the central hall was not erected with a view to its being used for public worship, and that a better form of building for public worship might easily be devised, 200 prisoners assembled daily in it for worship for eight months, with not more than half the number of officers to superintend them as are required for the same number of prisoners in the new chapel; and that, nevertheless, such was the excellence of the order observed,

that during the whole of that time there was only one single report for misconduct."

Mr. Shepherd, Governor of Wakefield Prison, also remarks on the same point:—

Remarks of Mr. Shepherd on separation in chapel.

"I have heard the evidence given by Mr. Reynolds and Mr. Alderson, respecting the evils arising from the plan of construction adopted in the new chapel, and I entirely concur in all that these gentlemen have stated. I have myself frequently occupied one of the stalls in the back part of the chapel during the time of service, and I have found that it requires a strained and painful attention to connect together the different parts of the discourse, notwithstanding the preacher was speaking in a high tone of voice; in truth, it demanded a degree of attention which no prisoner who was not very earnest in his desire to hear and understand the sermon, would be likely to give. Although in some parts of the chapel it is thus difficult to hear the preacher, the faintest whisper is heard from stall to stall; and I find by the statements and admissions of prisoners themselves, that it is no uncommon thing for a prisoner to carry on a running commentary on the prayers, and for indecent and profane conversation to go forward."

Inconveniences of separation in chapel.

Much of the inconvenience pointed out by the Governor and Chaplain at Wakefield has been experienced at Pentonville. Writing of the most objectionable character appears on the wood-work in many places, and punishments for attempts to communicate have been frequent. These cannot fail to have a prejudicial effect, as being associated in the mind of a prisoner with his attendance on religious worship.

If in county prisons, from which prisoners on discharge are dispersed, and usually return to their parishes, the discipline has been conducted on the separate system, as recommended by the Committee of the House of Commons of 1830, it will have been impossible for prisoners to form intimacies, or devise any plans which would be likely to increase their power of mischief on liberation.

HARD LABOUR IN PRISONS.

Hard labour.

The great object at the present time appears to be, to endeavour to attain some degree of uniformity in the administration of the law in all prisons, with a view to give effect to the recommendation of the House of Commons of 1850, for enforcing separate confinement in the case of all prisoners, whether before trial or after, and for carrying out,

in the case of the latter, the sentence of the court in regard to *hard labour*.

The Committee of the House of Commons made the following resolution, bearing on the question of individual separation, combined with the enforcement of hard labour:—

Resolution of Committee of House of Commons.

"That hard labour is not incompatible with individual separation, and that where they have been tried in combination, as in the County Prison at Leicester, the effect has been remarkable in the decrease of the number of committals, especially under the Vagrant and Malicious Trespass Acts."

As regards the general question of enforcing hard labour concerning which there is reason to believe that much misapprehension still exists, I would observe that the 4 Geo. IV. c. 64. s. 10. provides as follows:—

Enactment relative to hard labour.

"Due provision shall be made in every prison for the enforcement of *hard labour* in the cases of such prisoners as may be sentenced thereto, and for the *employment* of the prisoners. The means of hard labour will be provided, and the *material* requisite for the *employment* of prisoners shall be purchased under such regulations as may be made for that purpose by the Justices in General or Quarter Sessions assembled."

The 8th rule further provides that—

"Every prisoner sentenced to hard labour shall, unless prevented by sickness, be employed so many hours every day, not exceeding ten, exclusive of the time allowed for meals, as shall be directed by the rules and regulations to be made under this Act."

In these rules will be observed the wide and proper distinction which should exist between the treatment of a prisoner under sentence of hard labour, as adverted to in the foregoing Act, and one who is entitled to employment, such as a prisoner in separate confinement before trial, under the provisions of the 2 & 3 Vict. c. 56.

It may be difficult to mark precisely the line of demarcation where hard labour ends and employment begins; but it is reasonable to suppose that it was contemplated in the Act that *hard labour* should be strictly *penal* in its character; and I am confirmed in this opinion by what I believe to be the fact, that treadwheels were first introduced into prisons immediately subsequent to the passing of the Act, and were then used for enforcing such a sentence.

Cells suitable for hard labour.

Cells of the construction of those at Pentonville are, however, scarcely adapted for hard labour, especially during the summer months; and I think a continuous shaft, with separate crank handles, arranged in an open shed, divided

into small compartments by corrugated iron partitions, will in some respects be found preferable. And this further advantage may be secured by the adoption of such a plan that the ordinary cells of prisons may be made available for separate sleeping cells, the prisoners being separated in the open air all day. This plan of working the discipline has been in operation at Bristol for several years with the best effect, although the prison is of a construction which is unfavourable for inspection and discipline.

Ventilation.

Where machines have been already introduced into cells the means of admitting more fresh air through the windows will be desirable. The ventilation in the new prisons, when properly worked, is amply sufficient for sedentary employment, but real hard labour can only be carried out conveniently where there exists a free current of air.

Hand cranks.

I was led to recommend hand cranks as a means of hard labour from their affording a better opportunity of securing the advantage of separate confinement, and from their being more economical in the first outlay than the erection of treadwheels where they did not already exist.

Profitable and Attractive Labour.

Profitable and attractive labour.

In connexion with this question is one which is frequently adverted to, viz., that the labour should be made *profitable*, and that, as regards the moral training, it would be of advantage to render it *useful and attractive* to the prisoners.

With respect to profit, the experience gained in applying the collective power of a treadwheel to the manufacture of flour, or other purposes, is, I believe, unfavourable.

I fully admit the moral advantage to be gained by a long course of industrial training; but I conceive that these can only be obtained by the almost entire sacrifice of the distinction between *employment* and *hard labour*.

The greatest profit that can be realized under such circumstances is, firstly, to deter others from crime, by the accounts which a prisoner will give to his comrades on his release; and, secondly, to deter him from again entering a prison if he can help it. It would obviously be hopeless to anticipate the permanent reformation of any considerable proportion of prisoners, when the time which could be devoted to their instruction has been too limited to admit of its producing any permanent effect. All such must be deterred by fear of punishment.

Sir John Kincaid, Inspector of Prisons for Scotland, referring to the changes which have become absolutely necessary in the discipline of the Scotch Prisons, makes the following observations in his Report for 1852:—

"To understand the nature of the changes just referred to, it may be necessary that I explain what the Scotch prisons were until now.

"In my several annual reports, since I was appointed Inspector of the district in 1847, I felt it my duty to bring under the notice of the Secretary of State the defective system of dealing with the criminal population of Scotland; for at that time the law did not permit a thief or a vagrant to be sentenced to hard labour, nor a juvenile offender to be whipped; all of them were necessarily sent to prison, where they could not fail to discover that the labour was much less, and the comforts much greater, than most of them were accustomed to out of prison; and thus, while a first offence sent many a one to prison whom a stringent system of discipline might have cured, the undue comforts of the prison more generally tended to make them confirmed criminals.

"The Act 14 & 15 Vict. c. 27, which passed in 1851, at length invested the judges and the magistrates with the authority so long needed—that of awarding hard labour sentences in all cases, and the whipping of boys not exceeding fourteen years of age.

"The passing of this Act having enabled the Directors of the General Prison Board to place the prisons of Scotland on a system of discipline more consistent with the welfare of the community, they immediately proceeded to consider the measures best calculated to give it effect; but, as the different plans which suggested themselves required information, it was towards the close of last year before the new rules were sanctioned and ordered to be enforced. They are shown in detail in the Fourteenth Report of the General Prison Board, and therefore it is only necessary for me to state generally that they consist of—

"1. An extensive use of crank machinery.

"2. Picking dry oakum to an extent that will make it amount to hard labour.

"3. 'Instead of being furnished with the hammock or bedstead, all convicted criminal prisoners, excepting any whose age or infirmities would, in the opinion of the Governor and Surgeon, render it unsafe, shall for the first month after conviction, or for the whole period of sentence where the duration of sentence is less than one month, each be required to sleep on a wooden guard-bed, a sufficient quantity of covering being allowed for warmth, and which in a properly heated prison need not exceed two blankets and a rug. After the first month, such prisoners as shall have conducted themselves properly in all respects are to be allowed the usual bed and bedding; but the retention of this privilege shall in each case be dependent on the prisoner's conduct.'

"I ought to add, that prior to the adoption of this system in any prison in the district, the General Prison Board had taken the opinions of the eminent medical advisers of the Board, that the system was in no respect calculated to injure the health of the prisoners.

"In Scotland the system is scarcely yet in full operation, so that it would be premature to remark on its working; but as the reformatory system of discipline had (in this district at all events) in a great measure failed in its expected results, after many years experience, in which everything that humanity could suggest and a liberal expenditure procure, to give effect to its operation, had been honestly tried, and it at length became manifest that the welfare of the community required a very different system —one in which every attempt to reclaim the criminal should continue unrelaxed, but that such system required its leading feature to be of a strong deterring character, similar to that recently adopted by the General Board: not that this or any other system will probably relieve the prisons of old offenders, but I expect it will materially diminish the numbers of those who are not yet wedded to crime."

COMFORTS OF PRISONS.

Comforts of Prisons.

A cursory inspection of the convict prisons might lead any one to the conclusion that a prisoner is better fed, clothed, and lodged than many an honest man who is struggling against the hardships that poverty entails upon him. No one, however, will be prepared to argue that, in this country, any convict, no matter what may have been his crime, should be locked up for long periods, and deprived of what may be necessary for his health and cleanliness. Still less would it be contended that, in any sound system of discipline, the reformation of the man should be disconnected from the punishment due to crime. Under any circumstances, however, there is another side to this picture of comforts afforded to a prisoner.

The enforcement of cleanliness and regularity on the dissolute and reckless characters which form an average prison population, is not only essential as a means of reformation, but it may fairly be taken as a wholesome and legitimate element of punishment.

In this double character all the attractive appearances of cleanliness and good order in prisons may be safely viewed. They are not the result of any undue desire to administer to the *comfort* of a prisoner, but the whole bearing of the daily routine by which they are secured, is calculated to thwart the natural tastes and habits of most criminals, and to direct them into new and improved channels.

During the earlier period of the process, they, doubtless, add indirectly to the punishment, but when a prisoner appreciates them as conducive to his comfort, he is likely to profit by the instruction he has received.

The recruit does not enjoy either his days of drill, or the enforced precision of military discipline; but it soon ceases to be irksome, and in after life, he never loses the advantages it has secured to him.

Mr. Frederick Hill, late Inspector of Prisons for Scotland, alludes to the subject in his Report for 1844. Speaking of the general opinion that prisons are attractive, he says:—

Remarks of Mr. F. Hill on the comforts of prisons.

"But let the visitor reflect that, first, as respects the honest workman, the prisoner has entirely lost his freedom, and ceased to be his own master; that he is not only cut off from family and friends, but that, generally, he is deprived of companionship altogether; that he must neither whistle, sing, nor shout; that day after day, and month after month, except at the intervals of exercise, he is confined within the four walls of his little cell, Sundays and holidays affording no relief, the very changes of the season almost unknown to him—for all, at least, that he can partake of their charms—let him think of this, and he will probably be of opinion that, though the prisoners were fed on turtle, instead of barley broth, and slept on down, instead of straw, there would still be few applicants, among the honest working class, for permission to occupy their places.

"And let the visitor, further, make himself acquainted with the habits of criminals, and with their ideas of comfort and luxury, and he will probably come to the conclusion that their distress must indeed be severe, and such as to make their being at large dangerous to all around them, before such persons would voluntarily enter a prison.

"For what, owing generally to wretched training, are the habits of criminals? Idleness, late rising, indulgence in drinking, smoking and gambling. And what regard is paid to these habits, however strong they may be, on entering a Scottish prison? Not the slightest. However great a sluggard, he must rise, the very morning after his admission—even in the middle of winter—when the clock strikes six. Then, although he would probably prefer remaining in his dirt to the trouble of making himself clean, he must immediately wash himself, and that thoroughly. So soon as that is done, he must, if he has been tried, begin a task of labour, with the prospect of losing his dinner, if he be sullen and refuse to complete it. Should he ask for a companion, he will at once be refused. Between times he may wish to comfort himself with a pipe, or at least with a pinch of snuff; but, no! the rules inexorably and most properly forbid all luxuries, especially such as foster habits of expense. At dinner, he may ask at least for a little beer; but he is again refused, and he finds that, however much against his will, he has suddenly become a member of a total abstinence society. As

for opportunities of gambling, he has neither anything to stake, nor any person with whom to play.

"When it is considered how painful an effort is generally necessary to break through a single bad habit, it may be judged how much a person, under such circumstances, must suffer; and it will be seen that that which is pleasing to the eye of the visitor, and excellent in itself, is often obtained with much, though necessary pain; and the delusion will be dispelled that the prisons have ceased to be places of punishment."

Diet.

As regards diet, the Reports of the Commissioners of Pentonville, and all the experience which has been gained in the administration of separate confinement, lead to the conclusion that, during imprisonment, a liberal diet is *absolutely essential* to the preservation of health.

On public works it has been proved beyond doubt that, without sufficient sustenance, the men cannot possibly perform the heavy work required of them, however willing and industrious they may be.

I adverted to this point in my Fourth Report:—

Extracts from Fourth Report on diet.

"I would observe that, as regards prisoners in separate confinement, the experience gained during the experiment at Pentonville demonstrated beyond all dispute that a liberal diet, not less in amount of nutritious quality than that which appears in the established scale, is absolutely necessary to the preservation of health during long periods of separate confinement

Bad results of reduction in the diet at Wakefield.

"The experiment of a reduction in this amount was tried at Wakefield, chiefly, I believe, with a view to economy. The result of the diminished quantity, combined with an average confinement somewhat exceeding 18 months, was very unfavourable, as exhibited in the first prisoners sent to Portland, who were received from Wakefield in a very low and depressed condition.

A sufficient diet necessary on Public Works.

"As regards the diet of convicts employed upon public works, it being an object that they should be made to exert themselves to the utmost, it has been found essential to give them such a diet as would support their strength.

"The scale now established has been determined on medical grounds, and on experience of the prejudicial effects of a lower dietary both on the health and energy of the men."

Having noticed the general subjects which I have considered it desirable to bring under your Lordship's consideration, I will proceed briefly to review the state of the separate Convict Prisons.

MILLBANK PRISON.

No alteration in routine.

In this establishment no alteration in the mode of its appropriation for the convict service, nor in the routine of discipline, has been made since my last Report. I there stated that badges had been introduced during the previous year to mark the well-conducted prisoners, and that the best results had attended the arrangement. The same observation holds equally true with respect to the year 1852.

Purchase of Brixton prison.

Brixton prison having been purchased by the Government for the reception of female convicts, those now in the establishment at Millbank will be transferred there as soon as the alterations and additions now in progress at the former place shall have been completed; and the latter prison will then be used exclusively for male prisoners. An increase of from 300 to 400 cells will thus be gained.

Number and disposal of prisoners.

Number and Disposal of Prisoners.

Males.

Disposed of during the year, by—			
Tranfers to Convict Prisons.	Parkhurst	163	
	Pentonville	684	
	Portland	236	
	Dartmoor	201	
	Portsmouth	266	
			1,550
Transfers to Convict Hulks.	"Warrior"	124	
	"Justitia"	77	
	"York"	96	
	"Stirling Castle"	56	
	"Defence"	37	
			390
Embarkations.	Van Diemen's Land	35	
	Western Australia	30	
	Norfolk Island	36	
	Bermuda	55	
			156
Transfers for fresh trials.	Newgate	2	
	Exeter Co.	2	
Removals	Lunatic Asylums	8	
	Philanthropic	17	
			29
	Carried forward		2,125

Brought forward - - -			2,125
Pardons	Free - - - -	5	
	Conditional (Wandsworth) -	1	
	Medical Grounds - -	4	
			10
Deaths (two prisoners are included amongst the deaths that had been pardoned on medical grounds) - - -			34
Numbers remaining, 31st December 1852 -			740
Total - -			2,909

Number and disposal of prisoners.

Note.—One prisoner died in this establishment when *en route* from Wakefield to the "York" hulk, not included.

Females.

The female convicts remaining in confinement, 1st January 1852, were - -	187	
Received during the year - - -	440	
		627
They were disposed of as follows:—		
Embarked for Van Diemen's Land -	439	
Pardoned on medical grounds - -	4	
Pardoned as unfit for transportation -	8	
Died - - - - -	2	
		453
Remaining in confinement, 31st Dec. 1852 -		174

Instruction and Improvement of Prisoners.

Instruction and improvement of prisoners.

As regards the instruction given, and the moral and religious improvement of the prisoners, the Chaplain observes,—

"The system of instruction detailed in the Report at the close of the year 1850, and carried on in the year following, has been continued without variation, whilst, in consequence of the number of schoolmasters (eight), exceeding by *one* the number employed in the earlier part of the former year, the prisoners in the several wards have attended school regularly twice a week.

"A schoolmaster has been detached once a week to the infirmary to give instruction to those prisoners who were in a condition to receive it.

"The register referred to in the last Report has been kept up by each of the schoolmasters, and the progress and attainment of the several prisoners have been marked at the termination of every quarter.

Instruction and improvement of prisoners.

"The *result* of the labours of the schoolmasters must, after all, chiefly depend on the capacity and willingness of the prisoners themselves. Still, the *conclusion* deducible from the registers is on the whole satisfactory, and in accordance with the order and attention which have generally prevailed.

"The foregoing remarks refer chiefly to *secular* instruction. It remains that a brief notice be taken of the ordinary exercises of a spiritual character.

"The daily Chapel services, consisting of Liturgical selections and Scripture exposition, have been conducted as formerly.

"On Sundays the prisoners in association have attended two full services; those in separation the morning and afternoon services alternately; those employed in the bakery have had the benefit of both services, as formerly, but without attending the daily service in the week. Prisoners engaged in the kitchens have attended one of the Sunday services and the weekly service on alternate days. The artizans, before proceeding to their work, have been assembled in their ward every morning to take part in a service similar to that performed in the chapel, the chaplain, assistant chaplain, and religious instructor ministering (in the ward) in turn.

"In addition to the means above specified, the prisoners in association have received religious instruction from the schoolmasters, under the direction of the chaplain, on each alternate Sunday evening.

"The assistant chaplain has visited the infirmaries daily, reading prayers in *all*, and delivering a lecture to the prisoners in *each* of the wards *successively*.

"On Sundays suitable ministrations have been afforded in the infirmaries by the religious instructor, who has read both prayers and lecture in the several wards. He has been regularly engaged on week-days in reading the Holy Scriptures with the prisoners in separation, and catechising the younger of them.

"The Holy Communion, as formerly, has been administered to the male prisoners four times in the year, the communicants having been previously visited by the chaplains with a view to their suitable preparation.

"The general behaviour of the prisoners, as coming under the chaplain's observation, has been orderly, and the schoolmasters report a greater amount of earnestness having been evinced than formerly in the desire for improvement.

"A testimony to the power of the Divine grace in blessing the labours of the chaplains has been occasionally afforded by letters, gratefully acknowledging the benefit of their ministrations, from prisoners *long after removal* to other penal establishments,—a circumstance precluding the suspicion of insincerity or hypocrisy. It is worthy of remark that some of these letters have been written by individuals who, whilst at Millbank, attracted no particular notice by their religious profession,—an incitement to the chaplains to persevere in their work of faith, relying on the promise, 'Cast thy bread upon the waters, for thou shalt find it after many days.'"

Health of the Prisoners.

Health of the prisoners.

With the exception of the years 1848 and 1849, when cholera was so fatal in the prison, the mortality among the male convicts was greater during the last year than in any year since 1845. The proportion of deaths in the three last years were as follows :—

Year.	Males.	Females.
1850	22 per 1,000	per 1,000
1851	18 per 1,000	per 1,000
1852	34 per 1,000	per 1,000

To account for this extent of fatal disease, it is necessary to state, that though formerly invalids were excluded from Millbank Prison, and detained in the country prisons, they are now all sent there, provided they can bear removal, and are free from infectious complaints. All doubtful cases too, where disease, mental or bodily, may be suspected, but not absolutely developed, are brought to Millbank, under special warrants, to be under observation until it is decided whether or not they can bear separate confinement, or whether they may be able to endure the labour on public works, or be only fit for an invalid establishment.

Hence the extent of mortality will be governed, except when a fatal epidemic, such as the cholera, appears, rather by the number of diseased convicts passing through than by any other cause, and such was the fact in 1852, as appears from the Medical Report.

Unfavourable situation of Millbank prison.

At the same time, it must be admitted that both the site and the construction of Millbank Prison are not so favourable to the health of its inmates as could be wished. It lies low, and the several yards and courts, surrounded by high buildings, are placed with reference to each other in such a manner, as to prevent currents of air from circulating or sweeping through them freely enough to ventilate them thoroughly. Accordingly, the able-bodied prisoners remain, as a general rule, not quite three-fourths of the time they are detained in Pentonville and other prisons of that character, and the invalid prisoners, only until vacancies occur in the invalid establishment for which they are destined. During the last year the latter class of prisoners have been kept longer than we hope will be the case in future, now that the "Stirling Castle" hulk at Portsmouth is appro-

priated for those invalids who are incapable of doing any work, and that there is ample accommodation at Dartmoor for that class of invalid convicts capable only of light labour.

Extracts from Dr. Baly's Report.

Extracts from Dr. Baly's Report for the year 1852, bearing on the general state of health of the convicts in Millbank prison, and on the effects of separate confinement on the mind, are given in the Appendix, page 94.

Expenses and Earnings of Prisoners.

Expenses and earnings of prisoners.

The total expenses of the Prison, exclusive of buildings, amounted to 30,654*l.* 17*s.* 9*d.* After deducting the earnings of the prisoners, (4,551*l.* 6*s.* 10*d.*,) the net cost of the Prison was 26,103*l.* 10*s.* The daily average number of prisoners during the year having been 1,202, the net cost of each was 21*l.* 14*s.* 4*d.*

Concluding remarks.

I cannot conclude without mentioning the great advantages which have resulted from the benevolent exertions of a committee of ladies, who, for several years past, have given their attendance at the prison for the purpose of visiting the female prisoners, reading to, and instructing them in their cells. This self-imposed and painful duty has been undertaken from the purest motives, and has been executed in a most judicious manner. I am enabled to state to your Lordship my hope that, when female prisoners are removed to the new prison at Brixton, these ladies will continue their valuable labours.

PENTONVILLE PRISON.

Pentonville prison.

Having already adverted to the administration of "Separate Confinement," as carried out at Pentonville, and to the beneficial results of certain changes in the routine, by which a greater amount of exercise in the open air has been secured for the prisoners, it will be unnecessary to enter into further explanations on that head.

Separate confinement indispensable.

The Directors fully concur with me in opinion, that separate confinement is a most valuable and indispensable auxiliary in any sound system of discipline for convicts under long sentence, and that it is a principle which it would be most desirable to carry out during shorter terms to the full extent contemplated by the Committee of the House of Commons 1850, but they would equally shrink from the responsibility of strictly enforcing it in those cases where there existed any indication of a prejudicial effect arising from that kind of discipline on the health of mind or body.

Number and Disposal of Prisoners.

Number and disposal of prisoners.

Number remaining 31st December 1850		527	
„ admitted during 1851		675	
			1,202
Removed to public works in this country		452	
„ „ Gibraltar		53	
„ „ Bermuda		33	
„ „ Western Australia		59	
„ „ Van Diemen's Land		8	
„ „ Norfolk Island, as incorrigible		2	
„ „ "Defence" Hulk, as invalids		17	
„ „ Shorncliff, ditto		5	
Pardons { conditional		2	
Pardons { free		1	
Pardons { on medical grounds		3	
To lunatic asylums, as insane		2	
Died		4	
		641	
Number remaining 31st December 1851		561	
			1,202

Moral and Religious Improvement of the Prisoners.

Moral and religious improvement of the prisoners.

On this point the Chaplain makes the following observations in his Report for the last year:—

"The beneficial moral results of the discipline and instruction of the prison have in no degree been lessened, in my opinion, by the mode of exercise adopted during the year past, in lieu of the separate yards. There has been actually less communication between the prisoners. The good effect of the change upon the mental condition of the prisoners has been to my perception most marked.

"With respect to direct moral and religious improvement effected among the prisoners during the past year, the statement which I made in my last report is also substantially correct when applied to 1852. There continues to be less profession of a religious change than in former years, but not less real amendment. Of some we have reason to hope that they have indeed been renewed in the spirit of their minds. Of the overwhelming number, we have no doubt but that they will approve themselves in after life to be reformed, in the general acceptation of the word."

Expenses and Earnings of Prisoners.

Expense and earnings of prisoners.

The expenses of the prison, exclusive of buildings, amounted to 12,792*s.* 14*s.* 10*d.* After deducting the earnings of the prisoners, a sum of 2,814*l.* 9*s.* 1*d.*, and house-rent paid by officers (170*l.* 19*s.* 9*d.*), the net cost of the prison was 9,807*l.* 6*s.*

The following is the net average expense of each prisoner for the last six years:—

	£	*s.*	*d.*
1847	33	7	4
1848	28	14	7
1849	23	19	7
1850	20	6	6
1851	18	19	2
1852	17	16	7

Trades.

The following table shows the respective trades in which the prisoners have been employed, and the amount per head earned in each trade.

Daily Average Number of Prisoners employed.	Trade.	Estimated Earnings.			Amount per head in each Trade.		
		£	*s.*	*d.*	£	*s.*	*d.*
212	Tailors	585	1	1½	2	15	2¼
113	Shoemakers	462	14	8	4	1	10¾
109	Weavers	835	8	2½	7	13	3¼
68	Matmakers	302	4	6	4	8	10½
24	Bricklayers, &c.	232	6	1¾	9	13	7
		£2,417	14	7¾			

The general average per head has been 4*l.* 7*s.* 11*d.*

PORTLAND PRISON.

In another part of this Report, in reference to the second probationary period, I have made a few remarks explanatory of the origin of the establishment at Portland, and of the mode of working the quarries; I will here briefly advert to such other points as require notice. Portland prison.

Number and Disposal of Prisoners.

Number and disposal of prisoners.

Remaining in confinement, 1st January 1852	829	
Removed during the year	491	
		1,320
Removed to Van Diemen's Land with tickets-of-leave	333	
„ Western Australia	30	
„ Ditto to public works	60	
„ Bermuda	32	
„ Millbank Prison	3	
„ Pentonville	2	
„ Dartmoor Prison	1	
„ Portsmouth	3	
„ "Stirling Castle" hulk	11	
„ "York" hulk	10	
„ York House Lunatic Asylum	3	
„ St. George's Fields, London, ditto	1	
Pardoned	15	
Died	4	
	508	
Remaining in confinement, 31st December 1852	812	
		1,320

Conduct of the Officers.

I have again the gratification of reporting most favourably on this point. Captain Clay, who succeeded Captain Knight as Governor (on the transfer of the latter to the charge of the new convict prison at Portsmouth), and the Rev. Mr. Moran, the Chaplain, have, in the performance of their respective duties, fully sustained the untiring zeal and close attention indispensable to the success of the system, and their example has been well followed by the other principal officers of the establishment. Conduct of the officers.

Conduct of the subordinate officers.

The duties of the subordinate officers have also been performed with great zeal, regularity, and cheerfulness. Serious offences on their part against the regulations have been very unusual, and I feel fully justified in reporting that their conduct throughout the year has been highly creditable to themselves and conducive to great order, regularity, and industry among the prisoners.

Treatment and Condition of the Prisoners.

Treatment and condition of prisoners.

The established rules and regulations have been closely followed in the treatment of the prisoners in all respects, and their condition of quiet submission to discipline, combined with willing alacrity at their labour, proves that these rules and regulations have not only been well devised for their object, but properly applied by the officers of the prison. The good influence that such treatment has produced on the prisoners is exemplified in the demeanour of those who, after having gone through their probation in an exemplary manner, have found the reward of a ticket-of-leave, which was held out to the convicts as a main encouragement to industry and general good conduct, necessarily deferred. To be told that under existing circumstances such delay has been unavoidable has generally been sufficient to satisfy (for the time) their anxious inquiries on the subject, and this is doubtless attributable to the feeling in their minds that all the measures of the authorities are taken for the real good of the prisoners. Without such feeling it may safely be asserted that no really willing effort at industry or improvement is to be expected from men in their position.

Description and General Value of their Labour.—Earnings and Expenses of the Prisoners.

Earnings of the prisoners.

The prisoners have been employed in the same description of labour as mentioned in the reports of previous years, part being labour for the works of the breakwater, and the rest in connexion with works necessary for enlarging or repairing the prison.

Description and general value of their labour.

The works of the breakwater have been those usual in extensive stone quarries, including the quarrying and loading of the stone by means of cranes and sheer-legs, squaring large blocks of ashlar work for the pier-heads, &c., making cranes and other machinery, building an iron foundry, casting railway chairs, waggon wheels, machinery for cranes, and other foundry work and fittings, making and repairing

wheelbarrows and quarrying implements and tools, repairing iron railway waggons, and excavating, forming, laying, and repairing railways in the quarries, besides various artificers' work necessary for these operations.

Description of labour.

For the prison the following work has been executed:— quarrying and preparing stone for the new wing, making water tanks, sawing stone, building new carpenters' and smiths' shops, forming and repairing roads, cultivating the garden, repairing the prison, and the various work necessary to be done in aid of these purposes by blacksmiths, whitesmiths, carpenters, sawyers, and painters, besides shoemaking, tailoring, washing prison clothing, and cooking and baking for the establishment.

Value of labour

The general value of the labour has fully equalled that of the previous year.

For the breakwater, an average daily number of 512 convicts have executed in the year work to the value of 16,709*l.* 12*s.* 0½*d.* (as ascertained chiefly by actual measurement), being at the yearly rate of 32*l.* 12*s.* 8½*d.* per man. The time employed in this labour was equal to 125,873 days of 10 hours each, and the value of each man's labour for each such day averaged 2*s.* 7¼*d.*

The value of the work executed for the prison in 34,005½ days of 10 hours each amounted in the year to 3,858*l.* 8*s.*, the daily average number of men employed at such work being 118 (exclusive of tailors, shoemakers, and of men employed in baking, cooking, and washing,) the yearly rate being thus 32*l.* 14*s.*, and the daily rate 2*s.* 3*d.* for each man so employed.

Taking together the whole number of men employed as above in actual out-of-door or mechanical labour both for the breakwater and for the prison, an average number of 630 men have executed work in the year to the value of 20,568*l.* 0*s.* 0½*d.*, being at the rate of 32*l.* 12*s.* 11½*d.* per man on that number, and of 24*l.* 19*s.* per man on the whole average number in the prison.

It is to be observed, however, with respect to this last calculation, that about one sixth of the whole number of prisoners is practically not available for labour, that proportion being generally absent from work, as sick, attending school, undergoing minor punishments, &c. &c., and that therefore the total amount of earnings ought not, as a measure of the industry of the prisoners, to be divided among the whole number, but among about five sixths of the average total number in the prison.

Expenses and earnings of the prisoners.

Exclusive of buildings, the expenses of the prison, for the year ending 31st March 1853, amounted to 20,727*l.* 13*s.* 3*d.* The amount of the prisoners' earnings for the past year, as stated above, was 20,568*l.* 0*s.* 0½*d.*, so that they have not quite equalled the expendtiure, which has been considerably greater than last year, in consequence of the higher price of provisions and other articles. It must, also, be observed that the wetness of the autumn had an unfavourable effect on the labour of the convicts.

From the total expenditure (20,727*l.* 13*s.* 3*d.*) must be deducted 439*l.* 15*s.*, the amount of house rent paid by officers, and the daily average number of prisoners during the year having been 824, the net cost of each was 24*l.* 12*s.* 4*d.*

Remarks on the Progress of the Prisoners in Religious and School Instruction, and in their Morals, Industry, Discipline, and general Conduct.

Religious and school instruction, morals, idnustry, &c.

The reports of the Governor and Chaplain bear just testimony to the general good conduct and disposition to industry and improvement among the prisoners. The system of badges, denoting their classification according to conduct, and their monthly progress towards the attainment of the ticket-of-leave, continues to work very satisfactorily.

The Chaplain states in his Report, "There is also an improvement as regards the state of religion among the prisoners. I have observed with great thankfulness this general improvement among *a considerable number of young men.*"

On the conduct of the prisoners, he also observes :—

"It is very gratifying to be able to report so favourably of the general good conduct and orderly demeanour of the prisoners.

"Their willing industry, their respectful behaviour, and their orderly conduct give evidence of a very satisfactory state of discipline.

"The general tone of feeling is good. The prisoners look up with confidence to those who are placed in authority over them, which is a very important consideration.

"They conduct themselves with the same propriety whether you observe them on the parade ground before going out to work or in their daily avocations, or in the exercising yards, where I frequently go among them.

"I feel an increasing conviction that under the system now pursued considerable numbers might be trusted with their liberty in this country, after having completed half their sentences. To ex-

clude every man whose sentence exceeds seven years, or who may have been convicted before (perhaps of some trifling crime), notwithstanding his exemplary conduct, seems to countenance the too common opinion that prison reformation is only nominal, not real."

Report from abroad relative to ticket-of-leave men.

The reports that have been received directly and indirectly from abroad relative to the men who have been sent to the colonies with tickets-of-leave from Portland, give fair reason to hope that the moral and industrial training which they have undergone has been generally effective, and that a course of compulsory labour and regularity strictly and judiciously enforced in a prison, and combined with sound moral and religious instruction, is productive of such lasting habits of industry and good conduct as will, in many instances, preserve the discharged convict from returning to the evil courses that led to his imprisonment.

New wing.

By the addition to the prison of a wing containing 230 sleeping cells, it is expected that the progress of the important national works in which the convicts are chiefly engaged at Portland will be greatly accelerated within the present year.*

* Since the commencement of 1853 the construction of fortifications on the north end of the island, for the defence of the breakwater and anchorage, has become a portion of the labour in which the convicts are employed.

DARTMOOR PRISON.

Dartmoor Prison.

There is, at the present time, accommodation at this establishment for nearly 1,300 prisoners, with quarters for the whole of the superior and subordinate officers, store-rooms, and other requisite appendages.

Numbers and Disposal of Convicts.

Numbers and disposal of convicts.

Remaining on the 31st Dec. 1851		1,016
Received from Millbank Prison	201	
Pentonville do.	172	
Portsmouth do.	15	
Parkhurst do.	12	
"Defence" Hulk	2	
"Justitia" do.	1	
"Stirling Castle" do.	112	
"Warrior" do.	1	
Bath Gaol	4	
Bedford do.	7	
Leeds do.	26	
Preston do.	6	
Reading do.	8	
Wakefield do.	110	
Disembarked from:		
"Dudbrook"	1	
"Edward"	1	
		*679
		1,695

Embarked with tickets of leave:		
Van Diemen's Land	329	
Western Australia	10	
		339
Embarked to public works:		
Van Diemen's Land	1	
Western Australia	100	
Bermuda	30	
		131
Removed on account of misconduct:		
Millbank Prison	17	
Pentonville do.	4	
		21
Transferred:		
Portland Prison	1	
Portsmouth do.	2	
"Stirling Castle" Hulk	1	
"Warrior" do.	1	
		5
Removed to Bethlehem Criminal Lunatic Asylum		1
Deaths		25
Pardons { Free	31	
Pardons { On medical grounds	6	
		37
Escaped (of whom one was recaptured elsewhere)		3
		*562
Remaining on the 31st Dec. 1852		1,133
		1,695

* Received in

January	1
March	57
April	155
August	98
September	70
October	231
November	56
December	11
	679

* Removed, died, &c.:

January	9
February	5
March	59
April	139
May	3
June	9
July	76
August	77
September	7
October	82
November	60
December	36
	562

Conduct of Officers and Prisoners.

Conduct of officers, &c.

The arduous and responsible duties which devolve on the Governor and other superior officers in their respective de-

partments have been discharged in the most satisfactory manner; and with but few exceptions, and those chiefly arising among officers unaccustomed to discipline and the exercise of command, the whole of the warders have evinced a most praiseworthy desire to promote the objects of the establishment.

Conduct of prisoners.

The convicts, as a body, have been well-conducted and industrious.

As regards the prisoners, the Chaplain thus remarks:—

"I feel pleasure in being able to say that the conduct of the prisoners is in general satisfactory, and marked by a healthy tone, which I venture to consider an index in many cases of true reformation of character. The voluntary Bible classes are better attended than they were last year, much attention is shown, and where misconduct has arisen, it has sometimes been discouraged among themselves."

Rules and regulations same as at Portland.

I stated in my last Report that, as far as circumstances would permit, the discipline and management is conducted under the rules and regulations which have been in use with so much success at Portland. The plan which is pursued for stimulating the industry of the prisoners, and for inducing them to persevere in good conduct, is found to effect all that was anticipated. With but few exceptions, the work assigned to the prisoners, as well able-bodied as invalids, is performed well and with cheerfulness.

Employment of Prisoners.

Employment of prisoners.

The following extracts from the Governor's Report will show the manner in which the convicts have been employed:—

"The description of labour at which the convicts have been employed, is as follows:—

"Prison labour, both on the works, &c., and for the service of the prison, and

"Agricultural labour.

"The prison labour may be reported as a continuation of the operations noticed by me last year; the agricultural labour has also been a continuation of last year's improvements. The series of experiments made in the year 1851 fully realized our expectations, and we have this year considerably extended the reclaiming and cultivation of the waste lands adjoining the prison, by trenching, draining, levelling, and planting other portions of ground; also building new walls, forming new roads, and repairing the old ones.

"During the winter and early part of the spring, we planted some belts with a variety of forest trees, so distributed in different places as to afford shelter to the newly broke up lands from the sweeping winds that prevail in this high altitude.

Employment of prisoners.

"We have trenched and drained 67 acres during the year, which (adding 31 acres reclaimed in 1851) makes a total of 98 acres now under cultivation. These lands have been trenched 2 feet deep, and drained 3½ feet deep, at distances varying from 16 to 24 feet between each drain, according to the nature of the soil. The drains, as reported last year, are constructed with the small stones raised in the course of the trenching. The larger masses of rock are conveyed to the boundaries of the fields, and built into strong and substantial walls.

"In the early part of the spring we drained and levelled some marsh or bog land as a water meadow. To this the sewerage of the barracks, officers quarters, and part of that from the prison, was directed. Although under this treatment for a few months only, this meadow yielded upwards of 1 ton of hay per acre. Prior to its being drained, the ground was so boggy as to render it in many places impassable to man or beast.

"On the 12th of March we sowed part of a field (of about 4 acres) with early oats, and the remainder with barley, sown down with grass seeds. This field was under a crop of turnips in 1851, and has this year yielded an excellent crop of oats and barley; the grass seeds are also strong and vigorous.

"On the 30th of March we sowed a field of 12½ acres with flax seed (except a small portion, which was sown with hemp seed), the land being previously limed at the rate of 3½ tons to the acre. When the flax covered the ground, it received a dressing of 3 cwt. of artificial manure to the acre. The crop was short in straw, but the seed and fibre were good.

"On the 12th of April we sowed 3 acres of newly-trenched ground with oats and vetches, the land having been previously dressed with lime and manure. The quantity of straw produced was large, but the grain was light.

"We next sowed 3½ acres with mangel wurzel and Belgian carrot seed, in alternate rows (on the 11th of May). This field, having been limed the previous year, was dressed with 20 cart-loads of dung and 3 cwt. of artificial manure to the acre. The above mode of mixing the crops seems to answer well. The produce of this field was at the rate of 8 tons of mangel wurzel and 8 tons of carrots to the acre, being a total of 16 tons per acre.

"Between the 4th of June and the 1st of July, 2 fields of 13 acres each were sown with swedes and yellow turnips, the land being previously dressed as above. The swedes have produced a very good crop (a portion only of the first sown have as yet been taken up), and yield at the rate of 28 tons to the acre The turnips are also good, with the exception of those last sown, which are small.

"The artificial manure above alluded to has been manufactured on the premises. It consists of peat charcoal, nightsoil, and crushed bones mixed together, and seems to answer well.

"The gardens inside the prison walls have been enlarged and improved, and sown with carrots, parsnips, leeks, and cabbages. The crops thus produced have contributed largely to the supply of vegetables for the prison use during the season.

Employment of prisoners.

"Our crop of hay was 30 tons. About 40 tons of heath and rushes were also cut and secured for litter.

"Between the 4th of May and the 20th of October, we also cut and secured 1,920 tons of turf or peat to be used as fuel, and for making gas for the prison. The price paid here for peat is from 8*s.* to 9*s.* per ton; the value of the peat secured is therefore about 800*l.*

"During the past year we have built 2,832 yards of new walls, and repaired 8,000 yards of old walls. We have also formed 1,584 yards of new roads, and repaired 2,420 yards of old ones.

"A powerful crank pump has been erected over a large tank which receives the sewerage manure from the several prisons; with this the liquid manure is forced into another tank, on an elevated spot above the prison, from whence it is conveyed into two other tanks on a lower level, and distributed over the land with a hose.

"The live stock consists of 6 horses, 10 cows, 6 calves, and 100 pigs. The horses are employed chiefly in carting stones, manure, &c. The milk from the cows is supplied daily into the prison, and the butter is sold to the officers of the establishment.

"The pigs are fatted, killed, and cured, the bacon being sold to the prison officers, who find this a great accommodation.

"The new farm buildings are nearly complete, and will afford ample accommodation for the breeding and rearing of cattle and pigs. The live stock will be increased as the improvements on the land progress.

"The season having been unusually wet, the progress of all out-door work has been much retarded, particularly the trenching and draining of wet lands and the securing of the peat, a greater quantity of which would have been housed had the weather been more favourable.

"The incessant wet has caused these operations to be performed with great difficulty and at much disadvantage, and consequently the results are much less satisfactory than they would otherwise have been."

Tickets-of-Leave in Prisons.

Tickets-of-leave in prisons.

In applying convict labour, it is generally necessary to tell off the men in parties of not less than 8 or 10, and place them in charge of one or more officers. It will be obvious that odd jobs and special works requiring only 2 or 3 men, could not be advantageously executed by them in consequence of the disproportionate expense of superintending their labour. The great variety and extent of the works at Dartmoor led me to consider whether an encouragement to good conduct might not be combined with convenience to the service, by employing men of good character, without maintaining other than the general superintendence of the principal warders and others who have charge of certain districts within which

the great body of the convicts are employed, thus conferring upon them what may not inaptly be termed a "Ticket-of-Leave."

Having obtained the sanction of Sir George Grey to this plan, it has been carried out at Dartmoor, and the Governor thus alludes to it:—

Remarks of the Governor on the effects of adopting "Tickets-of-leave" in Dartmoor prison.

"I have likewise, under your sanction, selected men of exemplary character, with short sentences, who have performed a large portion of their terms of punishment, and whose crimes were not heinous ones, to be employed on 'special service.' This consists in looking after the cows, horses, pigs, &c.; driving carts, and carrying tools to the prison for repair, from their respective gangs, &c.; whilst others have been employed at their trades.

"These men are not under the charge of any particular officer. Their dress is a distinctive one, consisting of a *blue* jacket, waistcoat, and trowsers, instead of the usual *brown* or *drab* clothing worn by the other convicts. Those who are allowed the privilege of this special employment *outside* the walls of the prison, have a *red cloth collar* attached to their jackets, and are allowed to pass out through the gates to their respective occupations (during working hours) without being in charge of an officer. Those *not* having the red collar are only allowed the privileges attached to the distinctive dress *inside* the prison walls, and are therefore never allowed to pass the gates, except in charge of an officer. The distinctiveness of this clothing acts as a guidance to the officers and military sentries, who would otherwise immediately stop any convict who was not in charge of an officer.

"I have found the plan of employing these men as above detailed to answer most admirably, and I rejoice to state that I have had no case of misconduct on their part. They highly value the privilege, and eagerly seek for it, and are very proud of the confidence placed in them. The number thus employed now amounts to 53; viz. 18 *outside* and 35 *inside* the prison walls."

Expenses and Earnings of the Prisoners.

Expenses and earnings of prisoners.

The expenses of the Prison, exclusive of buildings, amounted to 28,930*l.* 12*s.* 1*d.* If from this sum be deducted 323*l.* 11*s.* 6*d.* for house-rent paid by officers, the net cost of the prison was 28,607*l.* 0*s.* 7*d.*

With reference to the value of the labour of the prisoners, it may be observed that a sum of about 8,000*l.* has been saved by the application of the labour on various works in and about the prison, and that the value of other labour applied in reclaiming land, making roads, cutting fuel, and other works outside the prison, amounts to 5,000*l.* more. This is exclusive of cooks, shoemakers, tailors, &c.

PORTSMOUTH PRISON.

Portsmouth prison.

The new convict prison at Portsmouth was opened on the 1st April 1852, when a great proportion of the convicts at that time confined in the "York" and "Stirling Castle" hulks were removed to it. The "York" has since been broken up, but the "Stirling Castle," after undergoing some necessary repairs, has been appropriated as a depôt for the reception of invalids.

State of the Buildings.

Buildings.

The buildings being quite new are in good state and condition. The houses intended for the occupation of the officers are now in a forward state, and will soon be occupied; and the whole of the other buildings are sufficiently advanced to be in use for their intended purposes, except the infirmary, which will in a very short time be ready.

Number and Disposal of Prisoners.

Number and disposal of prisoners.

Remaining in confinement, 1st January 1852	0	
Received during the year 1852 - -	1,376	
		1,376
Removed to Van Diemen's Land with tickets-of-leave - - -	260	
" " " public works	1	
" Western Australia with tickets-of-leave - -	29	
" " " public works	37	
" Bermuda - -	22	
" Gibraltar - -	23	
" Millbank prison - -	9	
" Pentonville - - -	2	
" Dartmoor - - -	15	
" "Stirling Castle" hulk -	8	
" "York" " - -	20	
Pardoned, free - - -	7	
Deaths - - - -	2	
	435	
Remaining in confinement, 31st December -	941	
		1,376

Conduct of the Officers.

Conduct of the officers.

The zeal, energy, and ability of Captain Knight have had full scope in the task of overcoming and removing

Difficulties on the first occupation of the prison.

the difficulties incidental to the occupation of a new and extensive convict prison. In this case the usual difficulties have been greatly increased by the fact that the large majority of the prisoners came into the prison direct from the hulks, and that the main object was, necessarily, not simply the maintenance of a state of discipline to which they had been accustomed, but the amendment of the imperfect state of discipline unavoidable in the hulks, and the establishment of the degree of order and submission requisite in a well-ordered prison for public works. In his exertions he has been most efficiently aided by the deputy governor and chief warder of the prison, of whose zeal and intelligence he reports most favourably. The moral and religious improvement of the prisoners has been duly attended to by the chaplain, the Rev. Mr. Livesay, who, by the transfer of the convicts from the hulks to the prison, has obtained many opportunities of extending his own usefulness and that of the Scripture readers and schoolmasters in their several capacities. Dr. Jewell, the medical officer, has successfully attended to the due maintenance of good bodily health among the prisoners.

Conduct of subordinate officers.

On the first occupation of the prison a spirit of unwillingness to undergo with patience and proper feeling the special exertions and inconvenience, unavoidable to all parties connected with prison duties on such an occasion, manifested itself on the part of many of the subordinate officers, and led to acts which rendered necessary the dismissal of three or four of their number. Since that time there has not only been no cause of general complaint of their conduct, but the governor has been "able to state confidently that their duties are zealously and efficiently performed," and "that, with a few exceptions, he could not expect to have a more efficient staff of discipline officers."

Treatment and Condition of the Prisoners.

Treatment and condition of the prisoners.

The demeanour of the prisoners is orderly and respectful, and affords in itself a satisfactory indication of their treatment and condition as prisoners. As regards food, clothing, and bedding, they neither have reason for complaint, nor are they more than sufficient to maintain the prisoners in health sufficient for their labour.

The means of religious, moral, and school instruction are afforded to a proportion daily without interfering more than is necessary with the industrial employment of the prisoners; and the health is duly attended to by the medical department of the prison.

Description of Labour.—Earnings and Expenses of the Prisoners.

Description of labour.

The labour in which the convicts have been employed has been executed for the Admiralty and Ordnance Departments at the station, and in works necessary for the completion of the prison.

Much of the labour performed by the convicts under these departments was not capable of being measured; but applying the result in value of such as has been actually measured to the time occupied in the execution of the rest, the value of the labour per day of ten hours for each convict employed may be taken at 2*s*. The total value of the labour executed during the nine months that the prison has been occupied is estimated at 12,026*l*. 14*s*. 8*d*., and the time occupied therein has been 1,154,69 days of ten hours each.

Earnings of prisoners.

The accommodation of the prison being for 1,000 convicts, of whom the labour of about one-sixth would not be available (allowing for men sick, attending school, under punishment, &c.), the actual working number of prisoners daily would be about 834.* Captain Knight, calculating on the value of the work already executed by the convicts confined in the prison, estimates the value of a full year's labour of that number at nearly 25,600*l*.

If it were the rule to employ the convicts at unbroken labour, and of a description not entailing waste of human power, a still more favourable result might be fairly expected; and on this point I would now beg strongly to represent, that the employment of convicts in labour, in which their strength is expended without an adequate result, merely because it is not to be paid for in cash by the department employing them, must in the end always prove expensive to the country. It must be allowed, at the same time, that the employment of convicts in dockyards or public establishments, where they are necessarily employed in desultory jobs, and under circumstances requiring peculiar watchfulness, on the part of the officers, to prevent escape or irregularity, can never be so profitable in the result as when they are employed under circumstances that allow of their being entirely separated from other workmen, and occupied in labour that is uninterrupted and capable of measurement.

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* See Return, Appendix, page 121.

Expenses.

The prison having only been opened in the month of April 1852, and many of the expenses necessarily incurred being those of outfit for a new establishment, the actual necessary expenses have not yet been ascertained by experience, but it is probable that they will not exceed 25*l.* a year for each convict confined in the prison.

Conduct of the Prisoners, their moral and religious Improvement, &c.

Conduct of the prisoners, &c.

As regards the manner in which the convicts have conducted themselves, the Governor observes in his Report :—

Extracts from the Governor's Report.

"The conduct of the prisoners has been decidedly satisfactory, considering the circumstances under which they have been placed, and the change, so far as regards a large number transferred in a body from the hulks, from an unavoidably comparatively lax discipline to a strictness and restraint to which they had been quite unaccustomed.

"One of the very greatest advantages of the prison system over that of the hulks is, the protection it affords to those desiring to do well. In the hulks, in spite of all efforts to the contrary, the evil-disposed and morally worthless were able to exercise a tyranny and power for evil which proved fatal to the progress of good feeling and resolution in all but those armed with a far greater amount of moral courage than is the ordinary gift of man.

"Out of 1,376 prisoners who have been confined in this prison, 955 have not committed the slightest breach of rules, and 66 more have committed only *one slight offence;* so, in fact, 1,021 have not been guilty of any actual misconduct, and thus everything like misconduct has been confined to the remaining 355. It may be further observed, that a very considerable proportion of offences are attributable to the repeated misconduct of a few almost incorrigible individuals; thus, for instance, 134 offences have been committed by 13 prisoners.

"About 152 offences (viz. 'having possession of money, tobacco, and other prohibited articles,' have been caused solely by the convicts being brought in close contact daily with labourers, sailors, &c., and many more are indirectly traceable to the same cause; even persons of apparently higher position occasionally assist the convicts to commit breaches of discipline. I will give an instance of this kind. A person passing a party of convicts at work on Southsea Common threw one of them some money, which he picked up unobserved by his officer, but immediately and voluntarily gave it up.

"Taking into consideration the trials and temptations to which the convicts in this prison are constantly exposed, their general regularity and exemplary conduct have far exceeded my expectations, and convince me that their labour might be made still more generally useful and profitable, and be extended to situations and under circumstances heretofore never thought of."

The Chaplain reports most favourably on the moral and religious improvement of the prisoners, and makes the following observations on the arrangements by which the hulks have been superseded by a prison on shore :—

Extracts from the Chaplain's Report.

" The fact that the new prison has at different times received from the 'Stirling Castle' and 'York' hulks 642 men, who had passed various periods of their times under the influence of the system there prevailing, will naturally suggest the inquiry, 'Can it be shown that upon these men a change for the better has taken place in consequence of their removal from one establishment to the other?' I have no hesitation in saying that such is my opinion. If, again, it be asked, 'Can you show that the conduct of those men who have come to the prison direct, without going through the ordeal of the hulks, has been uniformly superior to that of others who have gone through it?' I can most decidedly answer in the affirmative. On referring to the tables that will be submitted by the Governor in his report, it will be found that the offences recorded against the latter are, compared with those of the former, nearly in the ratio of two to one on the whole, whilst in some particular classes of misconduct the ratio is very much greater,—facts, which may be taken as decisive as to whether a hulk or a prison is the best adapted for accomplishing the recognized objects of penal discipline.

" I stated in my last report that most of the prisoners on board the hulks were longing for the time to come when they should move into their quarters on shore. I need not say why, neither is it necessary for me to go into any details of the many inconveniences of the hulks, or show their utter unfitness to carry further the moral reformation of prisoners, or even to maintain it at the height it had reached in previous establishments, those being the very grounds on which you had long recommended their total discontinuance.

" The prisoners drafted from the 'Stirling Castle' and 'York' soon discovered and gratefully acknowledged what an improvement the change had made in their conditions. The satisfaction felt was almost universal; two men only, as far as I can remember, were found, when writing to their friends, to regret the old state of things,—men who, from their possessing no mental resources, found the solitude of their cells too suggestive of their actual position, and therefore wanted the excitements of association to make it more endurable.

" Their meals taken in peace and quietness, instead of the former wrangling and dissatisfaction, the liberty of reading undisturbed and *unmolested*, the power they had been previously deprived of, of obeying our Lord's injunctions about *private* prayer, the privilege of attending morning and evening service in the chapel, and the almost total freedom from the oppression and tyranny of the worst of their fellow prisoners,—these and other considerations served to bring out in strong contrast the advantages of partial separation, and the unmitigable evils of association afloat.

Extracts from the Chaplain's Report.

"All found the discipline of the prison more severe than that they had been accustomed to, but to the well disposed this was rather a protection, whilst it proved a wholesome check to the idle and turbulent. It does not become me perhaps further to animadvert on this subject than to state my opinion that the increased facilities for enforcing order and regularity in the prison have been admirably made use of, and the wheels of the machinery made to move with a smoothness and perfection that could in so short a time be hardly expected."

Concluding remarks.

I cannot conclude this Report without expressing great satisfaction at the successful result of the first distinct experiment of removing convicts in a body from the hulks into a prison, which allowed of their being separated from each other at night and at meals, and in which the authorities were provided with the necessary means of enforcing a higher degree of discipline. The progressive improvement visible in the conduct of these men under the superior means of discipline afforded by the prison was very remarkable, and the degree of order, regularity, and respectful submission to discipline, that now prevail both inside the prison and also on the public works, is a satisfactory proof, if any could have been wanting, of the disadvantage of using hulks as places of confinement for convicts, when the object is, not only to enforce the sentence of the law, but to maintain strict discipline, promote habits of industry, and encourage every effort at moral improvement among the prisoners.

HULK ESTABLISHMENT.

State of the Hulks.

State of repair of the hulks.

At Portsmouth, in consequence of the occupation in the month of April of the new convict prison, the able-bodied convicts have been entirely removed from the labour hulks at that station. One of these, the "York," which had become so unsound as to be quite unfit for repair, has been given over to the Admiralty department, and the other, the "Stirling Castle," has been made available as an invalid depôt in place of the "Defence," which had been necessarily moved to Woolwich in the preceding year, to replace two hulks that had become unserviceable for the accommodation of able-bodied convicts at that station. The "Briton" is still retained at Portsmouth as an hospital hulk for the accommodation of sick prisoners; but it may be practicable to give up the use of this hulk also when the hospital accommodation of the new prison is completed; as, however, the "Briton" is fitted as a prison ship, and not likely to be required for any other public use, it would be prudent to retain her in the convict service, in case of the occurrence of any infectious or epidemic disease among the prisoners at the station, or of any other circumstances requiring a temporary increase of accommodation. The "Stirling Castle" was thoroughly repaired in April when fitted as an invalid ship, and both these hulks are in good order and condition.

Hulks at Woolwich,

At Woolwich the "Warrior" and "Defence" are occupied by able-bodied prisoners employed in the dockyard and arsenal, and the "Unité" is used as an hospital ship for sick prisoners of the above-mentioned hulks.

Of these the "Defence" and "Unité" are in good repair and condition, but the "Warrior" (as mentioned in my Report of last year) is not in a state to be retained much longer as a fit place for the confinement of prisoners.

Number and Disposal of Prisoners.

Number and disposal of prisoners.

Remaining on board, 1st January 1852 -	1,749	
Received since - - - -	1,099	
		2,848
Embarked to Van Diemen's Land, with tickets-of-leave - -	435	
„ Ditto, for public works -	1	
Carried forward -	436	

Number and disposal of prisoners.

Brought forward -		436
Embarked to Western Australia - -		85
,, Bermuda - - -		41
Transferred to Millbank Prison - -		39
,, Pentonville ,, - -		14
,, Portland ,, - -		727
,, Dartmoor ,, - -		116
,, Portsmouth ,, - -		645
Discharged by free pardon - - -		20
,, medical grounds - -		23
,, sentence expired - -		1
Removed to a lunatic asylum - -		1
,, Smithfield convict depôt, Ireland - - -		3
Deaths - - - - -		37
Drowned - - - -		2
Escaped - - - - -		11
		1,477
Remaining on board, 1st January 1853 - -		1,371
Total - - -		2,848

Conduct of the Prisoners.—Moral and Religious Improvement.

Conduct of the prisoners, &c.

The general conduct of the prisoners in the hulks has been good throughout the year, both as regards their submission to discipline and their industry and behaviour on the public works; and in this latter point the statements of the authorities at the head of the different departments under which they have been employed corroborate the reports of the officers. The Chaplains report favourably, also, of their general disposition to moral improvement and progress in school instruction.

The Chaplain, in his Report, makes the following observations:—

Extracts from the Chaplain's Report.

"The means of grace and instruction have been regularly pursued in the performance of divine worship, in school operations, in private conferences with the prisoners, and in constant visitation of the sick, and of those under punishment in the cells.

"On the Lord's Day there have been two full services at the larger ships, and service with a lecture at the hospital, and during each week two evening services at the 'Warrior' and 'Defence,' and daily prayers, with at least two lectures, at the hospital.

"To say that marked attention and peculiar propriety of behaviour have been singularly manifested at all these services, would only be

Extracts from the Chaplain's Report.

to repeat what has been frequently said, but I may, without presumption, also avow that no impartial spectator of them would hesitate to acknowledge that there is in our convict congregations an animated interest, extensively felt both in the devotional parts of the services and also in the reading and exposition of Holy Scripture, strikingly indicating a growing intelligence in the subjects enforced, and a satisfactory tone of moral and religious feeling amongst the hearers, and also proving that the discipline and care which are exercised have a salutary tendency to improve their state by disposing them to manly conduct and sober reflection.

"The Lord's Supper has been administered four times at each of the ships to an average aggregate number of 70 communicants, who were individually examined and cautioned in private by the Chaplain, as well as collectively instructed in the nature and blessings of the ordinance, and I firmly believe that a large amount of enlightened and serious feeling was experienced on each occasion.

"The schools have had my daily attention, and I may say *anxious* concern. I am satisfied from observation and inquiry that in the accustomed routine of school duties the prisoners have made considerable improvement, some adding to their previously acquired knowledge, and others gradually advancing from a first book until they could read the New Testament with tolerable freedom; and it speaks well for their moral conduct and good behaviour in school that no complaint on those important points has been made to me by the schoolmasters."

Description of Labour—Industry—Distribution of Time, &c.

Description of labour, industry, distribution of time, &c.

The labour in which the convicts of the hulks are employed in the dockyard and arsenal is not generally of a kind most favourable for the promotion of steady habits of work among the prisoners.

The precaution necessary for preventing their mixing with the free labourers, to ensure the security of the prisoners, and to maintain due discipline among them, necessarily interfere continually with the full application of their labour in such situations. Prison restrictions on the one hand, and the necessity of conforming to the hours and regulations of the departments under which the convicts are employed, on the other, lead to frequent interruptions of work and intervals of non-employment which cannot be so favourable to the attainment of habits of industry as continuous labour of one description; and in this respect (as well as regards morals and discipline) the employment of convicts in dockyards and arsenals does not afford the same advantages for a course of reformatory and industrial probation as their employment on isolated works on a large scale, where the labour is unbroken, and the convicts are for a time in a great degree separated from the rest of the world.

Industry of the prisoners.

The degree of industry exhibited by the convicts during the past year has not only been favourably reported of by the Governors of the hulks, but also by the heads of the departments for which labour has been performed by the prisoners; and, making allowance for the unfavourable influence (before alluded to in this report) of the nature of their employment, I am enabled to report that the convicts generally in the hulks have shown a satisfactory spirit of industry throughout the year. At hard, straightforward work, such as loading or unloading coal from ships, cleaning mud from ditches, stacking heavy timber, &c., the energy and willingness with which they have worked have been remarkable; and a character for industry appears to be generally desired even by those prisoners who do not exhibit an equal anxiety for a favourable character in other respects.

Distribution of time.

The daily distribution of time is arranged, as far as possible, so as to admit of the various necessary prison duties being carried on without interfering with the hours of labour prescribed by the several departments under which the convicts are employed on the public works. The following table shows the time occupied daily, according to the season of the year, in labour or otherwise.

Occupation.	In Summer (longest day). (In the intermediate Seasons the hours vary according to light.)		In Winter (shortest day). (In the intermediate Seasons the hours vary according to light.)	
	A.M.	h. m.	A.M.	h. m.
Prisoners rise, and are let out by classes to wash.	5 30 to 6	=	6 0 to 6 30	= 0 30
Breakfast (officers and prisoners).	6 0 „ 6 30	= 0 30	6 30 „ 7 0	= 0 30
Clean classes and stow hammocks.	6 30 „ 6 50	= 0 20	7 0 „ 7 20	= 0 20
Dockyard gates opened for admission of workmen, and prisoners paraded for labour.	6 50 „ 7 0	= 0 10	7 20 „ 7 30	= 0 10
Prisoners at labour - -	7 0 „ 11 50	= 4 50	7 30 „ 11 50	= 4 20
Labourers leave work, and prisoners return on board to dinner.	– „ 11 50	= 1 0	– „ 11 50	= 1 0
Prisoners parade for labour	– „ 12 50		– „ 12 50	
	P.M.		P.M.	
Resume labour - -	1 0 „ 6 0	= 5 0	1 0 „ 4 15	= 3 15
Supper (officers and prisoners).	6 15 „ 6 45	= 0 30	5 0 „ 5 30	= 0 30
Evening prayers and school, those not at school repairing clothes, &c.	6 45 „ 8 0	= 1 15	5 30 „ 7 30	= 2 0
Slinging hammocks -	8 0 „ 8 30	= 0 30	7 30 „ 8 0	= 0 30
Watch set for the night -	– „ 9 0		– „ 8 0	
	Total from 5 30 A.M. to 8 30 P.M.	14 35	Total from 6 0 A.M. to 8 0 P.M.	13 5

ABSTRACT OF THE FOREGOING.

	Summer. h. m.	Winter. h. m.
Meals - - - - - -	2 0	2 0
Out-of-door labour - - - -	10 0	7 45
In-door occupations and evening instruction -	2 35	3 20
	14 35	13 5

Earnings of the Prisoners and Expenses of the Hulks.

Earnings of the prisoners and expenses of the hulks.

The total cost, exclusive of repairs, amounted to 33,463*l.* 4*s.* 5*d.*

Labour and earnings of prisoners.

The annexed statement shows the average number of the convicts confined in the hulks during the year, and their earnings as calculated according to reasonable wages for the different description of work performed per day of ten hours, into which all the time employed has been reduced. It must be observed, however, that much of the labour at which the convicts at the Hulks are usually employed is of a broken and desultory kind, not always capable of measurement, or the application of a system of individual task-work; and that in such cases the value of the labour can in reality be only estimated.

STATIONS AND HULKS.	Average daily No. of Prisoners.	Number of days labour performed. By superior Artificers. No. of days (10 hrs. each).	By superior Artificers. Estimated value.	By ordinary Labourers. No. of days (10 hours each).	By ordinary Labourers. Estimated value.	Total estimated value.	Annual Average† per head.
		d. h.	£ s. d.	d. h.	£ s. d.	£ s. d.	£ s. d.
WOOLWICH:—							
"Warrior" - -	439	1,269·4	158 13 6	68,821·0	7,953 1 7¾	8,111 15 1¾	18 9 6½
"Defence" - -	501	4,150·4	470 8 11	67,018·8	7,589 17 7	8,060 6 6	16 1 9
PORTSMOUTH:—*							
"Stirling Castle" Hulk (for quarter ending 31st Mar.)	443	19·8	2 15 0	21,974·9¾	2,602 17 9	2,605 12 9	7 14 2
"York" Hulk (for quarter ending 31st March).	392	118·8	16 10 0	16,483·6	1,673 3 0	1,689 13 0	4 6 2
"York" Hulk (for period from 1st Apr. to 27th July).	297	180·0	22 10 0	9,655·0	893 11 0	916 1 0	3 1 8
Total - -	- -	5,738·4	670 17 5	183,953·3¾	20,712 10 11¾	21,383 8 4¾	- -

Concluding remarks.

Although on the whole I can report with satisfaction that during the past year there have been fewer instances of aggravated or general misconduct among the convicts con-

* At Portsmouth the labour hulks were in use only for the proportions of the year above stated.

† The value of the labour of cooks, tailors, &c. on board is not here included.

Concluding remarks.

fined in the hulks, in proportion to their reduced numbers, than in previous years, yet I feel still assured that no system of discipline can be brought to such perfection as to remove or more than partially overcome the evils inseparable from the association of convicts in such places of confinement.

The good effects of the change that has taken place within the year with respect to the convicts at Portsmouth, where the labour hulks have been given up, and the convicts transferred to a prison in which every man has his separate sleeping cell, and is associated only during the hours of labour and instruction or exercise, are strikingly apparent. There are now but two labour hulks in use in this country, viz., the "Warrior" and "Defence," at Woolwich; and I shall rejoice when the convicts are removed altogether from places so unfavourable to discipline and to moral improvement, and so generally condemned that the prisoners themselves have learned to make their confinement in such places an excuse for their misconduct.

PARKHURST PRISON.

Parkhurst prison.

In my last Report I stated that during the preceding year several important alterations had been introduced into the daily routine.

One object of these changes was to afford increased facilities for the industrial training of the boys; another, to give greater encouragement to good conduct. Having been in full operation during the whole of the year 1852, a judgment may be formed of their effects.

The Governor thus speaks of them:—

Remarks of the Governor on the effects of the recent changes.

"In my last report, pages 61 and 62, I stated that the direct incentives to industry and good conduct which were granted to prisoners here from the 1st April 1851, had been productive of a marked improvement in the conduct of the prisoners during the last nine months of that year. A return which I am enabled to append to this report will show that the same routine followed out during the whole year 1852, has been attended with even more satisfactory results. The proportionate number of instances of misconduct in the general wards has been reduced to the ratio of 17 to 21 as compared with 1851, and of 2 to 7 as contrasted with 1850; while the proportion of prisoners not reported at all during the year has been augmented to the ratio of 3 to 2 as compared with 1851, and of more than 3 to 1 in comparison with 1850. The numbers showing the reports for misconduct in the general wards include many cases of trivial character which were disposed of by admonition merely, without any punishment. Of this class there were 129 cases in 1852, so that the number of punishments was only 579.

"In the junior ward the improvement in general conduct was not less remarkable; the numbers of prisoners not reported at all bears a very high ratio in contrast with any one of the 3 preceding years, 98 boys not having been punished for any misconduct in the prison, and 171 not having any report against them from the school.

"In the general wards, 287 prisoners, more than two-thirds of the total number, had no report at all against them for misconduct; 41 others were only reported once, 18 were only twice reported, and 10 three times; while 166 offences were committed by 12 individuals.

"*Escapes.*—Only four prisoners passed the prison boundary attempting to escape. These boys ran from the labour parties on the land. They were almost immediately retaken and brought back to the prison. The first occurred early in January; the others in July."

The Chaplain of the junior ward observes:—

Chaplain's remarks on the recent changes.

"No punishment is ever awarded except by the Governor or myself, nor without great carefulness and deliberation, that every offence may be dealt with according to the circumstances of the case and the disposition of the prisoner. Most of our offences have

been committed by prisoners of the first year's standing; about the second year they generally begin to feel that we are interested in their welfare, and that it is for their own good that a strict but salutary discipline is continually observed, and that privileges and advantages keep pace with good conduct."

Satisfactory results of the alterations.

The Chaplain expresses his opinion that lessening the time spent in intellectual instruction and applying more to industrial occupations has worked well, and that, according to his experience, industrial employment ought to form a part of the routine of every school intended for the working classes.

As regards the religious and moral state of the prisoners he observes:—

Moral and religious state of the prisoners.

"I have to report very highly of the orderly and good conduct of the generality of our boys, and of their attention to the rules of the prison. Leaving out of consideration altogether the long training which our boys have had in evil practices, and thinking only of what human nature is, I suppose I must never expect to see a better moral state to prevail than that which now exists."

The Chaplain of the junior wards remarks upon the same points:—

Conduct of the prisoners, &c.

"The conduct of the prisoners during the year has been very satisfactory. The great improvement which commenced under the alterations made in 1849 has continued to progress up to the present time, a further evidence that industrial employment is a great handmaid to secular and religious education in reforming prisoners, and in fitting them for a better class of society than that in which they had passed the earlier period of their life.

"The prisoners have acquired much more industrious habits; they work more cheerfully in the fields; our reports for idleness and indolence in that department have very much decreased.

"Prevention is at all times better than cure. However, the best that can be done for them now is done, and I believe with great success. I consider, under existing circumstances, that the system pursued at Parkhurst is admirably suited to their necessities.

"I unhesitatingly state that I have never seen in any school, and I have been officially connected with many, such uniform steadiness of conduct, and diligent attention to the instructions of the masters. Though I visit the schools every day, I do not remember having once observed disorder or inattention during the year; and on the Sabbath day, when the whole prison is assembled, morning and afternoon, for scriptural and catechetical instruction, general order prevails. Formerly we have had more trouble with the boys on this than on any other day. I consider that there cannot be a more decisive proof of the great improvement in the prison than this change.

"I take a class of 20 boys every Sunday evening, and examine them in Scripture and the Church catechism, giving them also some general advice in a familiar way. This I confine to the boys in the

evening school, dividing them into five classes; I find it a useful help to the other means employed for their instruction. Evening school.

"The evening school is still continued, and with much advantage, as an encouragement to the boys. It is open for an hour every evening in the week, under the superintendence of one of the masters. None are admitted but those of very good conduct, having badges. The average attendance during the year has been about 108; more than one half of the junior prisoners. They are also privileged to write letters to their parents once in three months, and receive letters in reply,—a privilege greatly valued by them, and beneficial to them in many ways."

Number and Disposal of Prisoners. Number and disposal of the prisoners.

Remaining in confinement, 1st January 1852 -	558	
Received during the year 1852 - - -	164	
		722
Removed to Van Diemen's Land - - -	81	
,, Western Australia - - -	1	
,, Public Works at Portsmouth -	44	
,, ,, Portland -	20	
,, ,, Dartmoor - -	12	
,, Pentonville Prison - - - -	10	
,, Millbank - - - -	4	
,, "Stirling Castle" invalid hulk -	1	
Pardoned - - - - - -	4	
,, on medical grounds - - -	1	
Died - - - - - - - -	8	
	186	
Remaining in confinement 31st December 1852	536	
		722

Prison Officers.

It has been a question with some who are well qualified to form an opinion, whether a different class of officers would not secure a better result. Nearly one-half the present officers have been serjeants in the army, who, in addition to the habits of regularity they never fail to acquire in the service, have been specially selected, as being particularly qualified for keeping boys in good order, without the necessity of resorting to punishment, a result which is generally considered a sure indication of good discipline. The remainder of the officers have never been in the army at all, but have been carefully selected from a large mass of applicants with a special reference to their qualifications. Prison officers.

The Chaplain thus speaks of them:—

Remarks of the Chaplain on prison officers.

"I cannot pass by this opportunity of observing, that much is also due to the subordinate officers of this establishment, including all their grades and departments; and I am far from being insensible to the advantage of labouring in conjunction with so respectable a body of men, who are, I believe, one and all, anxious to add their quota to the accomplishment of our great object, that of rendering the poor boys sent here fit once more for a place in honest society; and as a minister of Christ I often feel grateful for the support which I know they give to my ministrations in that Gospel which is the one instrument of a sinner's conversion."

The Chaplain of the junior wards also observes:—

"It is of the greatest importance that those who have the immediate charge of these youths should possess no ordinary qualifications. The class of criminals who come to this prison have been well trained to every kind of vice; deceit, lying, dishonesty, and insolence are prevailing features in their characters; therefore the most careful and judicious treatment, together with the inculcation of right principles of morality and religion, will alone counteract this evil; and by patient continuance in this good work we hope, under the Divine blessing, to succeed in a very great measure."

Higher class of officers desirable.

If it were possible, with due regard to economy, to obtain a much higher class of officers, for instance, schoolmasters, in whom were combined the vigilance and discretion which are essential for the safe custody and discipline of prisoners, with the attainments necessary for industrial training on the land and in the shops, there can be no doubt of the advantage which would accrue; but such men cannot at present be found in sufficient numbers, nor could such varied qualifications be commanded without giving a very high rate of salary.

Penal schools ought to be different to other schools.

It has been said the boys would not attempt to run away if they were under sufficient moral control, and had sufficient inducements to remain. This may be very true of a school, where the stay is more or less voluntary. It will, however, be generally admitted that a *penal* school or prison for criminal boys should have some features by which it could be distinguished from a school for the honest or destitute. This distinction would naturally cause it to be less attractive.

It will also be admitted that the attractions to a juvenile of a school of any kind are not of such an amount as that much can be spared.

If the experiment of bringing together into one establishment 500 criminal boys, sentenced by law to remain there, were tried, it would doubtless be found that a considerable

proportion of them would desire to go away, and, that unless prevented by the vigilance of officers when they were employed in the fields, and by the ceremony of locking the doors and gates, when they were within the walls, they would not fail to do so.

Farming.

Farming operations.

The farming operations have as heretofore been carried on by spade husbandry during the year. The boys have been thoroughly instructed in draining and trenching land, in sowing and planting, taking in different crops, and, generally, in all the work that is required in carrying on a farm.

The crops have been somewhat above a general average, considering the land is the heaviest description of clay.

The Steward, whose duty it is to superintend the farming operations, reports :—

"The mangold wurtzel *averaged* above 43 tons per acre *upon the whole crop;* the wheat 7 quarters per acre, &c., which I attribute to the superior value of spade husbandry, complete draining, and the careful application of the sewage (liquid manure) from the prison and barracks, farmyard, and every other available source.

"We grew about three acres of flax, which has proved to be an excellent crop of first-rate quality; and I believe that if we had the means of preparing it (even if it were only so far as to render it marketable in its first stage) we should find it not only a means of furnishing profitable in-door employment for the prisoners in wet weather and during the winter months, but it would be found to be a fair paying crop."

Expenses of the Prison and Earnings of the Prisoners.

Expenses and earnings of the prisoners.

The total cost of the prison, exclusive of buildings, amounted to 12,562*l.* 18*s.* 6*d.* After deducting the earnings of the prisoners, a sum of 2,008*l.* 1*s.* 3*d.*, and house-rent paid by officers, 192*l.* 11*s.* 6*d.*, the net cost of the prison was 10,362*l.* 5*s.* 9*d.*, and the daily average number of prisoners during the year being 563, the net cost of each was 18*l.* 8*s.* 1*d*

Conclusion.

Concluding remarks.

Having briefly noticed the operation of the system of discipline which is now in force, and the probable effects of some of the changes which may be necessary in consequence of the discontinuance of transportation to Van Diemen's Land, I would venture, in conclusion, to call your Lordship's attention to the great importance of *preventive measures.*

Under this term, I would be understood to include—First, a systematic pressure upon the acknowledged causes of crime, such as drunkenness,* lodging-houses and resorts of thieves, penny theatres and low places of amusement, receivers of stolen goods, &c.

Secondly, I would advocate measures calculated to check the increase of juvenile criminals, by improvements in the dwellings of the lower classes, so as to secure the ordinary decencies of life, and, generally, by the education and industrial training of the lowest classes of children, who virtually derive no benefit whatever from any provision at present made by the Government.

Thirdly, assuming a uniform corrective and reformatory discipline suitable to different classes of criminals to have been established in all prisons, it appears to me essential, in order to diminish the number of re-committals, that some effort should be made in behalf of discharged prisoners.

I feel persuaded that if the foregoing causes of crime were grappled with in a vigorous manner by the combined action of legislative and local authority, and if the efforts of benevolence in applying remedial measures to the neglected condition of the ragged children who infest the streets, were duly encouraged by the State, more good would be effected than any one unacquainted with the magnitude of the evils would deem to be possible.

The effect of such preventive measures would be a diminution in the number of criminals, and, if reference be made to the very heavy expense which they entail on the Government,† it will be seen that, viewed merely on economical and financial grounds, they are deserving of attention.

I have the honour to be,
My Lord,
Your most obedient Servant,
J. JEBB, Lieut.-Col., &c. &c.

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* See further observations on drunkenness, page 126. † See page 123.

APPENDIX.

NOTES ON THE EFFECTS OF SEPARATE CONFINEMENT.

Extracts from the Report of the Chaplain of Pentonville Prison for 1852.

"In advocating, in consequence of my first few years' experience, a modification of separate confinement in this prison, and the necessity of combining it with a system of well-regulated labour on public works, under the direction of Government, I was guided wholly by what fell under my own observation, and the conviction that the ends of justice at home and the reasonable demands of the colonies of Australia could only be met by such a course.

"I had my misgivings that the reformation effected under such complete separation from the temptations of life would not prove to be of a permanent character, I feared the long continuance under a system of restraint, physical and moral, would be followed by a reaction, where there was not a real change of heart by the Holy Spirit.

"However this might be, I thought I saw distinctly marked, effects of separate confinement of such a character as to put out of the question the idea of its exclusive application for a lengthened period, as a sole or the greater part of a convict's treatment.

"Among the convicts of the first years, most carefully selected as they were in the matter of general health, age, crime, and sentence, there was an undue proportion, as you are aware, of mental disturbance and excitement, from insanity downwards to a sort of indescribable nervous or hysterical condition, which was partly observable in the prison, but much more so on board ship, where a large proportion were seized with convulsions. This was the case in the 'Sir George Seymour.'

"In the 'Stratheden,' which next sailed with our prisoners, as many as 20 out of 100 were so affected, but none of the convicts on board from the other prisons, as I reported at the time to the Board. It was reasonable, I thought, to infer that where no such actual result followed there was yet an effect produced upon the human system of an unfavourable character; and this I thought observable in the appearance of our convicts, viewed in comparison with the others around them. Could it be imagined that longer detention in such a state would not aggravate this mischief? It was so thought by some whose judgment might justly be considered much safer to follow than mine. Tables were prepared to show that cases of insanity and delusion occurred in the first rather than in the last period of the 18 months here experimented on That, however, in my opinion, seemed consistent enough with the sup-

position of *a gradual, and, perhaps, imperceptible, decline of the physical and mental energies of the mass of persons subjected to the trial.*"

REPORT of Dr. BALY on the EFFECTS of SEPARATE CONFINEMENT.

Dr. Baly, the Medical Superintendent at Millbank, adverts to the operation of the system of separate confinement, especially in respect to insanity, and the effects of imprisonment on the mind. After giving a detail of certain cases, he offers the following table, as regards Millbank :—

Periods of Imprisonment.	Approximative Number of Prisoners who passed through each Period.	Number of Cases of Insanity occurring in each Period.	Annual ratio per 1,000 of Cases of Insanity for each Period.
First Three Months - - -	17,500	12	2·7
Second Three Months - -	9,800	9	3·6
Third Three Months - - -	5,400	9	6·6
Fourth Three Months, or later -	1,600	5	—

And goes on to state, with reference to its effects in other prisons, as follows :—

" Observations, too, made in former years, and inquiries extended to other prisons, have given me the conviction that even to persons of sound mind, confinement in separate cells for long terms is attended with risk to mental sanity. The danger may, of course, be lessened by affording exercise to the mind, by instruction, and by intercourse with prison officers, and in a less degree by promoting the health of the body ; but danger, I believe, there must always be as long as separate confinement is so enforced as to be a punishment, since it is a punishment which operates principally and primarily on the mind itself."

Again, with regard to delusions, and other effects clearly traceable to separation, he observes :—

" It has been the custom in some prisons to apply the term ' insanity ' only to the severer forms of mental disorder, and to place those of a less formidable character in a distinct category with the designation of ' delusions ;' but this practice is, I think, likely to induce the erroneous notion that the cases of so-called ' delusions ' are different in their nature from those of ' insanity,' and of comparatively little importance ; whereas, according to my experience, ' delusions ' or ' monomania ' occur with extreme rarity in persons whose minds are otherwise healthy, but, on the contrary, are attended with some other general though less obvious disturbance, or an enfeebled state of the mental faculties. Cases of this kind, too, are commonly very difficult of cure, and have a tendency to pass

into the condition of complete 'imbecility' or 'melancholia.' A very large proportion of the cases of 'insanity' in lunatic asylums are of this nature. In estimating, therefore, the amount of insanity in a prison for the purpose of comparison with its prevalence in the community at large, these cases of so-called 'delusion' ought certainly to be included."

Dr. Baly also makes the following important remarks on the general effects of long continued confinement in separation, as distinguished from the more severe and obvious cases of mental disorder :—

"These various forms of mental disorder, all more or less obvious, do not, however, constitute all the effects which separate imprisonment is capable of producing on the mind. When this punishment is continued for many months, and especially when it is carried out in all its integrity, it exerts, as might be expected, a depressing influence on the whole nervous system of the convicts submitted to it. The result is shown partly in a loss of physical vigour and of the power of resisting external impressions (whence arose the singular convulsive attacks from which many men suffered at a former period on their being transferred from their separate cells directly to the convict ships), and partly in an impairment of mental energy of various degrees. In some men this state of mind has approached to decided imbecility ; in others it has seemed to be the cause of a proneness to insanity under the influence of the excitement attending embarkation ; while in others, again, the loss of mental energy has been of such a kind and degree as to be recognizable only by those persons who were in constant intercourse with the men, and could contrast their present with their former condition, or by those who had the opportunity of comparing them in a body with other large bodies of convicts. There can be no doubt that in the large majority of cases this depressed state of the mental powers is recovered from, more or less quickly, when the men are restored to society. But a permanent impairment of the mind of this character must, I am persuaded, be reckoned, together with the more obvious forms of mental disorder, among the occasional evil results which the separate system is capable of producing when it is enforced with strictness for long terms."

Speaking of pulmonary consumption which, of serious diseases, has been the most prevalent both at Pentonville and Millbank, he says :—

"There being no data for determining with accuracy whether separate confinement in the mitigated form in which it is carried out at Millbank has exerted a more injurious influence than the associated system is capable of exerting, I may be permitted to state, with respect to this question, the general impression I have derived from long observation. I would state, in the first place, my belief that the consumptive disease apparently originating at Millbank during the last few years has, in most cases, not been disease newly produced in previously healthy persons by the few months' impri-

sonment there, but has been either already existing, although hitherto latent disease, aggravated and rendered active, or disease developed in a constitution already strongly predisposed to and tending towards it. Depression of spirits, loss of exercise, and want of fresh air, are well known to be causes most capable of producing such effects; they are almost necessary attendants on imprisonment, and the last-mentioned cause, want of fresh air, has doubtless been felt more at Millbank prison than at some others, owing to the disadvantages of its site and construction. But the depressed state of the feelings and want of mental excitement must in all prisons exist, 'cæteris paribus,' in a greater degree in proportion as the imprisonment approaches more nearly to complete isolation; and the separate imprisonment at Millbank prison, although its duration is comparatively so inconsiderable, and although its strictness is so much mitigated, has, I am convinced, operated more injuriously than the 'associate' system on prisoners impaired in health or predisposed to disease. Continued observation has, in fact, only confirmed my opinion that prisoners in such a state of health,—those especially in whom there are marks of a scrofulous habit of body, or in whom there is reason to suspect its existence,—ought not to be subjected to imprisonment day and night in separate cells. If all such men be carefully excluded, a large number will certainly be withdrawn from the regular system of penal discipline. This is undoubtedly an evil; but, on the other hand, many will thus escape a degree of danger to life which their sentences were not intended to bring upon them. To give additional safety to prisoners deemed especially liable to suffer from confinement, it would be desirable that they should be transferred at an early period to Dartmoor or Portland, or some other convict station where they could be employed at out-door labour.

"The prisoners hitherto subjected to separate imprisonment at Millbank prison had not been a selected class (only those obviously diseased having been excepted from the system), partly, because it had been decided that the effects of separate imprisonment should be tried on an average body of prisoners, and partly because the shorter terms of separation at Millbank than at Pentonville seemed to render fewer precautions necessary with regard to the men confined in the former prison. Since the close of last year, however, care has been taken to remove from separate cells all who appeared, from any reason, especially liable to suffer from confinement in them."

And he goes on to say:—

"The experience of Millbank prison during the past year affords no conclusive evidence either for or against the belief that the separate system of imprisonment has an especial tendency to produce mental disorder. But it might be expected that some information with regard to this question would be obtained by comparing the statistics of the last three years, 1850-52, with those of the three previous years, 1847-49.

Periods of Three Years.	Number of Prisoners received.	Number of Cases of Insanity.	Number of Cases exclusive of Prisoners insane previously.
1847 to 1849 - - -	7,722	12	11
1850 to 1852 - - -	5,869	17	13
1850 to 1853, exclusive of prisoners transferred for probationary discipline to other prisons, and of cases of insanity developed within six weeks after reception -	3,369	15	11

"As the average term of imprisonment of the prisoners in the last three years has been 295 days, and that of the prisoners received in the former three years only 150 days, each prisoner received and detained for probationary discipline, since the beginning of 1850, has been longer exposed to the risk of becoming insane. To compare the effects of the system in the two periods, the proportions must be calculated for equal terms of imprisonment (terms of twelve months). They are then found to be for the former three years 3·52 per 1,000 prisoners, and for the latter three years, in which there has been more of separate confinement for periods of six months, 4·73 per 1,000 prisoners.

"These data, I believe, show truly that but little injurious effect, as regards the minds of the prisoners, has resulted from the arrangement made at the end of the year 1849, and that six months' separate confinement, with the mitigations and precautions adopted at Millbank, is not attended with any great danger of producing insanity. But it, of course, is not thereby proved either that separate imprisonment, even for six months, without such precautions, would be attended with the same degree of safety, or that, with those precautions, it could be carried out for much longer terms without a great increase of danger. Previous observation had, indeed, satisfied me, that short terms of separate confinement are attended with extreme danger to persons originally of dull or weak intellect; and I am sure, that unless great and increasing care had been taken to exclude such persons from the operation of the separate confinement at Millbank, the result of the experiment of the last three years would have been much less favourable than it appears to have been."

Dr. Campbell, the Medical Officer of Dartmoor Prison, makes the following observations on the effects of separate confinement, in his Report for the year 1852:—

"Until lately very few of these cases have come under my notice. Two were in the hospital when I joined. One has been discharged, after being under surveillance for a long period. He was disposed to be sullen, and his manner was peculiar; but by a little soothing management he was quite tractable, and made himself useful about the ward. As I deemed it advisable to try the effect of regular

employment, he was attached to one of the agricultural gangs, and the officer in a short time reported that he worked as hard as any of the others, and with the greatest cheerfulness. The other is an old man, who has been bed-ridden all the time he has been under my care, and I have little hopes of his recovery. Some of the more recent arrivals have this disease in a milder, and I may add, as regards a few, in a more suspicious form, characterized by a great aversion to labour. I may, however, observe that many of the prisoners received here from other prisons have appeared to be labouring under a considerable degree of torpor of the intellectual faculties, which is commonly marked by hesitation in replying to questions, apathy or indifference to anything passing around them, dilatation of the pupils, and a sickly appearance. As I usually find that these prisoners have recently undergone separate confinement, I am of opinion that such symptoms are very likely to arise from prolonged seclusion. Our means of accommodating such patients are imperfect at the present time; but the additions that are now in progress for the use of the sick will soon be available, and will be of great service in the treatment of these and other diseases requiring great care and circumspection."

In a work on the Prison Discipline of America, by Mr. Francis Gray, is found the following passage:—

"There is nothing for which the system of solitary labour has been more lauded, than for the *overpowering effect of the degree of solitude*, which it necessarily implies, as administered in this country, *upon the mind*, and facts are often stated, which prove that the *nerves* of the *convict are much shaken*, and his mind enfeebled; and that he is in *that state of debility*, in which resolutions of amendment are very likely to be formed, but very little likely to be executed. MM. De Beaumont and De Tocqueville observe, on their visit to one of the prisoners, No. 61, in the Penitentiary at Philadelphia, that he *could not speak long without being agitated, and shedding tears; and that they had made the same remark of all whom they had previously seen.*"

The physician of the New Jersey Penitentiary makes the following remarks:—

"Among the prisoners there are many who exhibit a childlike simplicity, which shows them to be less acute than when they entered. In all who have been more *than a year in the prison*, some of these *effects have been observed. Continue the confinement for a longer time, and give them no other exercise of the mental faculties than this kind of imprisonment affords, and the most accomplished rogue will lose his capacity for depredating with success upon the community.*"

And in the following year, he observes,—

"The effect of solitary confinement on the prisoners in this institution is *well determined*, however different it may seem from what is reported of other similar establishments. As the punish-

ment is carried out in this place, the result upon the convict is a *diminished force of his organs generally*, and, particularly, a weakening of *the muscular fibre;* obstruction of lymphatic glands, and vitiated nervous action. The mind suffers, in this state of the organs, when absolute derangement does not take place."

Mr. Kingsmill, speaking of the recent changes at Pentonville, observes upon the same point,—

"Among the convicts of the first years, there was an undue proportion, as you are aware, of mental disturbance and excitement, from insanity downwards to a sort of indescribable nervous or hysterical condition, which was partly observable in the prison, but much more so on board ship, where a large proportion were seized with convulsions. This was the case in the 'Sir George Seymour.' In the 'Stratheden,' which next sailed with our prisoners, as many as twenty out of one hundred were so affected, but none of the convicts on board from the other prisons, as I reported at the time to the Board. It was reasonable, I thought, to infer, that where no such actual result followed there was yet an effect produced upon the human system of an unfavourable character; and this I thought observable in the appearance of our convicts, viewed in comparison with the others around them. Could it be imagined that longer detention in such a state would not aggravate this mischief? It was so thought by some whose judgment might justly be considered much safer to follow than mine. Tables were prepared to show that cases of insanity and delusion occurred in the first rather than in the last period of the eighteen months here experimented on. That, however, in my opinion, seemed consistent enough with the supposition of *a gradual and perhaps imperceptible decline of the physical and mental energies of the mass of persons subjected to the trial.*

"Active disease might be developed in the first stage of confinement, whilst general debility or prostration of spirits would mark the latter part of a long confinement in separation, and when released the sufferers would not be competent to work their way in the world like other men; and having this disadvantage, with the loss of character, would be doomed in too many cases to hopeless pauperism, vagrancy, or crime."

REPORT on the DISCIPLINE of the STATE PRISON of RHODE ISLAND.

The warden of the State Prison of Rhode Island, in his Sixth Report, makes the following observations:—

"The inquiry is frequently made, 'How does the present system succeed in comparison with that which, in its main feature of labour in strict solitary confinement, has been discontinued?' It is well known that this prison was constructed and established upon that plan, and that the principle of strict seclusion has been given up for reasons deemed imperative.

"Does the result justify the change? is the question. The undersigned is impelled by several reasons to make a public reply to it. The change was, from a sense of duty, by him respectfully urged

upon those having the authority to advise its adoption, and, after a careful observation, extending through a period of more than four years, of the injurious and alarming effects of solitary imprisonment upon the mental and physical condition of those who were the subjects of it. It has been recently suggested by a foreign writer of distinction that the system of solitary imprisonment in this state failed through the mismanagement of those charged with the duty of carrying it into effect—an imputation which shifts the radical fault of the system itself upon the administrators of it, and which may be deemed worthy of notice and refutation.

"Under the old plan of promiscuously herding together by day and night, the prisoner was debased and brutalized; under the new, he is, in too many instances, carried through 'a slow corroding process,' to the derangement or destruction both of body and mind. This tendency of the solitary system, it is true, was predicted, upon natural principles, by some eminent opponents, whose benevolent sagacity forewarned, though ineffectually, the friends of prison reform of the result which they might expect; but experience was necessary to exhibit it, and at an expense which it is painful to contemplate.

"The errors of *philanthropy* are among the most injurious and difficult to avert, as they are associated with good motives, and supported by the zeal of honest men.

"Commencing as I did with but three prisoners, and having continued for six years, with an increase of about ten prisoners in each year, I have been enabled to become particulary acquainted with each individual upon his admission, and minutely to notice every change that took place during his confinement.

"Among the small number of prisoners at the onset, the bad effects of solitary imprisonment upon the mind were very apparent, not leading me, however, to consider them as arising from the peculiar confinement and discipline to which they were subjected. In observing these cases, I was forcibly struck with the similarity of the symptoms in those who had become deranged in the *State Prison*, after a confinement of from 6 to 18 months in solitude, to those manifested in the gaol in patients who become such after a confinement of but a few days, and undoubtedly from the abstraction of their accustomed excitement by drink.

"The appearance of similar effects, arising from apparently dissimilar causes, led me to an investigation of the subject, for the purpose, if possible, of ascertaining if such were the fact. From the uniformity of the symptoms of derangement, which made their appearance in a large number of the convicts in the State Prison, and were strongly developed in *one sixth* part of all who were there committed during a term of about four years, and all placed in the same condition and under the same discipline, I was satisfied that all were affected by one and the same cause; and being forcibly impressed with the identity of their derangement with that exhibited in the gaol, arising from the abstraction of alcoholic stimulus, I at length was satisfied that the same general explanation extended to all the cases, though in one class of these no ardent spirit had

ever been used to excess; or, if so used, had been entirely abstained from for from 6 to 18 months. In both classes of cases I have come to the conclusion that the derangement was produced by the abstraction of an accustomed stimulus to the brain, either natural and requisite to a healthy action, or unnatural and adapted to the supply of a morbid and injurious appetite—and thus necessary, by a bad habit, to the ordinary mental and physical action of the system. Persons who have never been deprived even of a small portion of what may be called their *natural stimulus* for any considerable length of time are little aware of its salutary and indispensable influence. Every moment of our lives brings under us its action, through the external senses, in ten thousand various forms. The succession of day and night, the changing seasons through which we are constantly passing, are all in continual action upon the springs of life. The momentary and ever-changing objects which present themselves to the eye, the continual and rapid variety of sounds which fall upon the ear, and, in short, the perpetual succession of phenomena which address themselves to the senses, are all in a state of personal liberty, and except in the periodical intermissions of class, constantly operating upon the brain, and supplying it with that normal stimulus so necessary to the production of moral, physical, and intellectual health. In fact, all the external senses are but so many avenues through which new impulses to the system are continually flowing; all which, including, also, social intercourse, combine in their operations, and give a perpetual impulse to the human system. Now, suddenly abstract from a man these influences to which he has been so long accustomed; shut him up with but scanty resources of his own to keep the powers of his mind in action in a solitary cell, where he must pass the same unvarying round, from week to week, with hope depressed, with no subjects for reflection but those which give him pain to review in the scenes of his former life; after a few days, with no impression made upon his senses, wherever the sound of his own hammer is lost upon his ear, and one unvarying sameness relaxes the attention and concentration of his mind, and it will not be thought strange that, through the consequent debility and irritability of its organ, the mind should wander and become impaired—in short, that the prisoner should have the 'horrors,' and that, too, from the same cause that produces the disease in the man whose system has become accustomed to other and greater stimulus than his, and has had that unnatural but habitual stimulus suddenly withdrawn. Is not the brain, as a physical organ, subject to the same laws that govern all other parts of the system? and may it not become paralysed or deranged for want of action, as well as from exhaustion of exciteability by over-action?

"Perhaps it would be advisable to draw the parallel more specifically between the two conditions of derangement to which I have alluded. If a man have safely passed through an attack of delirium tremens, arising from the abstraction of his accustomed alcoholic stimulus, he will never be liable to another attack, so long as he abstains from that stimulus. The same is true, so far as my observation

extends, of the prisoner who has safely passed through the same ordeal in the abstraction of his accustomed stimulus to the senses, such as has been described, and he will spend the remainder of his days, so long as he shall remain in prison without any interval of liberty, though for years in solitude, and never be subject to a like attack. But the consequences may be irreparable, and he may be very much reduced in the scale of being—without energy or capacity for action, and unfit to be restored to society; his animal propensities invariably gaining the ascendancy over his moral and intellectual faculties, inasmuch as the ordinary stimulus necessary for the former has not been abstracted to so great an extent."

Mr. Kingsmill, speaking of the removal of the divisions in the exercising-yards at Pentonville, observes :—

"It is really no small relief to my own mind to turn my eyes for a moment from this paper as I write, and view the manner in which 100 or 120 prisoners in the spacious ground before my window are being now exercised. Separated by moral discipline and simple arrangement, they walk erect, like men. Their whole frame is in motion, and they move at so lively a pace as almost to provoke competition; fast enough, however, to render much thought for the while impossible. To the young and active it is enjoyment;—to the less vigorous and the sluggish it gives a stimulus which cannot fail to be of use to the whole system;—to the mind as well as body.

"The picture is happily removed, of the convict, pensively, thoughtfully, at the best, leisurely, treading his solitary little yard, the boundaries of which were high walls, massive iron palings, and a door with inspection plate, through which an officer's eye was perpetually on all his actions.

"When officially interrogated on the probable effects of a change in such points of our discipline as seemed to press heavily upon the mind of the prisoner, I anticipated those results with confidence."

Extracts from Fourth Report for 1850.

"No one will contend that such an amount of seclusion as is practically necessary in the working out of the separate system is otherwise than an unnatural and artificial state, and as such can scarcely be deemed to be suitable for *completing* the training of any one. The very same arguments which induce a parent to overcome all his fears as to the result of sending a child from the quietude of his home into the turmoil of a public school, and afterwards to the more enlarged sphere of action and diminished control of the university, would appear to apply to a system of probation designed for any other class of human beings.

"Bishop Butler observes that nature does not qualify us wholly, much less at once, for a mature state of life, and that maturity of understanding and bodily strength are only arrived at gradually by the continued exercise of our powers from infancy.

"And he goes on to say,—'But if we suppose a person brought

into the world with both these in maturity, as far as this is conceivable, he would plainly at first be as unqualified for human life of mature age as an idiot.

" ' It would be a question whether the natural conformation of his sight and hearing would be of any manner of use to him in acting before experience. And it seems that men would be strangely headstrong and self-willed, were it not for some acquired moderation and self-government—some aptitude and readiness in restraining themselves. Thus, the beginning of our days is adapted to be, and is, a state of education in the theory and practice of mature life.'

" *Employment and Industrial Training on Public Works.*

" Again, as regards the employment of prisoners on public works, there seem reasonable grounds to expect that habits of industry, although they may be acquired under long-continued restriction, will not altogether cease to exist when that restriction is removed by the release of the prisoners in the colonies or elsewhere.

" The same close reasoner, speaking of a state of probation as intended for moral discipline and improvement, makes the following remark confirmatory of this view :—

" ' Thus, by accustoming ourselves to any course of action, we get an aptness to go on, a facility, readiness, and often pleasure in it. The inclinations which rendered us averse to it grow weaker ; the difficulties in it, not only the imaginary, but the real ones, lessen ; the reasons for it offer themselves of course to our thoughts upon all occasions ; and the least glimpse of them is sufficient to make us go on in a course of action to which we have been accustomed. And practical principles appear to grow stronger, absolutely in themselves, by exercise, as well as relatively with regard to contrary principles ; which, by being accustomed to submit, do so habitually, and of course. *And thus a new character, in several respects, may be formed ;* and many habitudes of life, not given by nature, but which nature directs us to acquire.' "

" And, further, under any circumstances, the Government have an important duty to perform in arranging a comprehensive system which shall be of *general* application, and in seeing that it is carried out in such a way as to promote the various objects which have to be provided for."

New Penal Colonies.

The following remarks occur in my Fourth Report for 1850 :—

" All who have had any experience well know the great difficulties which are inseparable from the formation of a new colony. For a long period the entire energies of the first colonists, and all their resources, are directed to making provision for their own individual necessities.

" It is not until these are provided for that roads, wharfs, harbours, bridges, &c., are thought of, and then the means of executing them are for many years insufficient ; the tide of emigration is checked in consequence, and the progress of the colony is retarded. If, in anticipation of this, arrangements were made for extending

the remoter limits of existing settlements, or giving the assistance of convict labour in aid of private enterprise in the formation of new colonies, the different interests concerned might be adequately provided for, and advantages secured which could scarcely be obtained by other means.

"Experience of these difficulties has doubtless led to a remark which is often heard, that convicts should be the pioneers of civilization.

"As a first step to making suitable provision for the application of convict labour to such purposes, it would appear desirable to have in hand an infant colony, containing within its limits the elements of future greatness, and to execute at different points, at the expense of the Government in the first instance, and afterwards out of colonial funds accruing from the sale of lands or other sources, such great works as might on competent authority be deemed to be essentially necessary.

"Within a limited number of years the Government would be released from any direct expenditure or responsibility in regard to the execution of works, but the colony would be placed in such a position as to ensure *a demand for cheap labour;* and I do not hesitate again to express my conviction, 'that if there be established for all convicts a sound and uniform system of discipline and industrial training in this country, for periods such as are now contemplated (averaging, perhaps, from three to three and a half years), so favourable an effect on the character of a large proportion will be produced, that, taken as a body, they will be found more valuable, in any colony *where there exists an adequate demand for labour*, than an equal number of emigrants taken indiscriminately from the large towns and country districts.

"As a body, I do not believe convicts to be morally worse than an equal number of prisoners taken from the unceasing stream of criminals who pass through the prisons of London, or any of our large towns. There are very few convicts who are absolutely irreclaimable, and to look upon all who receive a sentence of transportation as sunk to one common level of hopeless depravity is a great mistake.

"A colony having in the first instance profited, in the development of its resources, by *convict labour*, and, subsequently, by a supply of *cheap labour*, at a period when there was not sufficient prosperity or capital to induce emigration on a sufficiently extensive scale, would probably reach a state when the further reception of convicts in any form would be opposed, as it has been in New South Wales, and more recently to some extent in Van Diemen's Land. This, however, tends rather to show the importance of making timely provision for such a contingency than the difficulty or impracticability of doing so.

"The measures recently adopted by Earl Grey, first in meeting the demand for cheap labour at Moreton Bay, and subsequently in affording the colony of Western Australia the benefit of convict-labour in the execution of public works at the expense of the Government, are a practical illustration of the principle. If there

were reason for doubt, experience will probably show that, when the circumstances of a colony are such as to require the advantage of Government expenditure and assistance in labour, its prospects and progress will be essentially promoted in their being afforded."

Order in which the Probationary Periods should be enforced.

Rev. J. Kingsmill on the question of commencing with separation.

Respecting the question of commencing with separation, followed by association on public works, the following observations occur in a valuable little work, entitled "Prisons and Prisoners":—*

"The second stage of discipline is penal labour upon public works.

"It appears a very unreasonable fear which many entertain, that men really reformed in separation will turn villains again in association. I believe no such thing. On the contrary, I think that if the same means be used to keep them from falling away, which were first honoured of God in reclaiming them, the faithful and affectionate ministration of his holy word, fair and considerate treatment on the part of discipline officers, and an ordinary application of the stimulus of hope, the good character of the convict will be improved. It would neither be just nor wise, however, to test the religious profession or moral improvement of men, under such circumstances, by the highest standard, and to condemn a man for a word, an ebullition of temper, or the infringement of a rule, at once, as a hypocrite."

Captain Whitty's opinion on the question of commencing with separation.

With reference to the same question of inflicting the punishment of separate confinement before association, and profiting by the opportunity of using every possible means for the reformation of the men, we have the following testimony of Captain Whitty, the Governor, and the Rev. H. Moran, the Chaplain, at Portland, in their Reports for the year 1849.

The former observes:—

"But I beg here to express my conviction of the necessity of continuing, to as great a degree as the nature of the employment of the convicts on public works will allow, the religious and moral culture of which they have been the special objects, during their previous course of probation in separate confinement, *and without which training (continued for a suitable time) I believe that the effectual working of this second period of their probation would be found altogether impracticable with reference to its moral objects.*"

Rev. H. Moran's opinion on the question of commencing with separation.

The Chaplain states:—

"I cannot pass from this subject without stating my conviction that it is of the *greatest importance, indeed, that it is essential to the success of any system of convict discipline, that the generality of prisoners should remain not much less than twelve months in separate confinement, before they enter upon their state of probation in association here or elsewhere.*"

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* By the Rev. J. Kingsmill.

My own opinions are in accordance with the foregoing, and though the cost of maintaining the first probationary period in separation is much greater than the second, arising chiefly from the far greater cost of the buildings and from the very small amount of the earnings; yet if experience has demonstrated the moral advantages gained, no consideration of expense should be allowed to weigh so as to affect its being fully worked out for an average of about 12 months in the case of all convicts.

Discipline and industrial training at Portland.

Details of Discipline and Industrial Training at Portland.

In entering upon an explanation of the details of management, it may be convenient to notice—

1st. The incentives to industry and good conduct.

2d. Application and value of convict labour.

3d. The general effects which have resulted or may be anticipated from the discipline.

4th. The disposal of the prisoners on discharge.

Incentives to Industry and Good Conduct.

Incentives to industry, &c,

Were it not that there are to be found advocates of a purely coercive and penal discipline, I should scarcely deem it necessary to state that, in any probationary system, the encouragement and reward of the well-conducted must be a prominent object. I am enabled to say, from somewhat extended experience, that the views of the Government have been strong and decided upon this point for many years past.

Lord Stanley on encouragement to convicts.

Lord Stanley thus adverts to it in his Despatch of November 1842:—

"We do not, however, contemplate a state of things in which the convict, suffering under the sentence of the law, should ever be excluded from the hope of amending his condition by blameless or meritorious behaviour, or from the fear of enhancing the hardships of it by misconduct. On the contrary, to keep alive an invigorating hope and a salutary dread at every stage of the progress of the prisoner, from the commencement to the close of his punishment, appears to us to be an indispensable part of the discipline to which he should be subjected. Further, we contemplate the necessity of subjecting every convict to successive stages of punishment, decreasing in rigour at each successive step, until he reaches that ultimate stage in which he shall be capable of a pardon, either absolute or conditional, though not ever entitled to demand the indulgence of right. It is, moreover, our opinion that the transition from one stage of punishment to another less severe, should be withheld from any convict who by misconduct may have forfeited his claim to such mitigation. *On the other hand, we think that a course of meritorious or blameless conduct in any one stage should entitle the convict, in any future stage of punishment, to such proportionate relaxations of the severity of his condition as may be compatible with his continuance in it; and that such good conduct should ultimately have a favourable effect, whenever the question of granting a pardon may be ripe for decision.*

"I should leave unnoticed the most important of all the general principles to which the Ministers of the Crown look, so far as respects the convict himself and the society in which he to live, is if I omitted to add that we anticipate, from a systematic course of moral and religious instruction which the congregation of the convicts in masses will afford, the means of applying such salutary influences as may best qualify them for entering on the temptations of an independent course of life, and may induce them to betake themselves to industrious and useful pursuits."

Nature of encouragement held out to convicts.

The encouragements held out under the present system consist mainly in a prisoner rendering himself eligible by good conduct for release from penal discipline, and embarkation for the colonies, at an earlier period than under ordinary circumstances he would be entitled to. Experience has fully proved that this is a boon greatly prized by the whole body of convicts. Captain Whitty thus adverts to it:—"Generally speaking, I think the convicts highly value the privilege of obtaining a ticket-of-leave at an earlier period, as the reward of their own good conduct and industry." Henceforth it may be necessary to modify the regulations with reference to the discharge of prisoners from penal restraint; but I would earnestly state my conviction that if the principle be abandoned, or not fully carried out, the most prejudicial consequences will be the result.

Records of Conduct and Character.

Rules for the Governor, Chaplain, and subordinate Officers for recording the conduct, &c. of the men.

The mode of recording the conduct of the men with a view to estimating their claims to a remission of the period of detention on the public works is thus adverted to in the "Rules" for the guidance of the Governor:—

"26. He shall keep a Character Book, in the prescribed form, and enter therein concisely his observations on the character and conduct of every prisoner, for the purpose of preserving such a record of these particulars as shall guide him in a proper classification of the prisoners during their probation, and in conferring good-conduct badges on those who deserve them; also to enable him to report with confidence whenever he may be called upon, in conjunction with the Chaplain, to assist the authorities in determining the period of detention of the different prisoners.

"He shall take every opportunity of impressing on the prisoners that the particulars of their conduct are thus noticed and recorded, and that whilst no effort at good conduct and industry on the part of a prisoner will be disregarded by the authorities of the prison, every act of wilful misconduct and punishment will be equally noted, and will tend to prolong the period of his detention under penal discipline."

The rules for the guidance of the Chaplain are to the same effect, and the following are the orders on the subject for the subordinate officers:—

"The great object of reclaiming the criminal should always be kept in view by every officer in the prison, and they should strive

to acquire a moral influence over the prisoners, by performing their duties conscientiously, but without harshness. They should especially try to raise the prisoners' mind to a proper feeling of moral obligation by the example of their own uniform regard to truth and integrity even in the smallest matters. Such conduct will, in most cases, excite the respect and confidence of prisoners, and will make the duties of the officers more satisfactory to themselves, and more useful to the public.

"The officers shall carefully observe the character and habits and industry of the prisoners under their charge, and it being of the utmost importance that the governor and chaplain should be fully informed on these points, the several officers shall carefully and impartially keep such records as may be ordered, and shall consider it to be their duty to afford at all times unreserved information on such subjects."

Badges and Classification.

Badges and classification.

The badges which are given as a record to the prisoner of his actual position with reference to character, have proved to be a great encouragement; and that they are prized is evidenced by the efforts made to obtain them, and to regain them by good conduct in such cases as they may have been forfeited.

Captain Whitty's opinion on badges.

The Governor observes:—

"The system of wearing conduct-badges on the dress, by which the monthly progress of each convict towards the attainment of his ticket-of-leave is publicly marked, works very satisfactorily, as is evinced by the anxiety of even the ill-conducted prisoners to regain a lost good-conduct mark and the efforts to keep subsequently clear of the misconduct-book."

As a means of promoting good conduct, a system of classification has also been adopted, the object of which will be best understood from the rules established with reference to it, which are as follows:—

"5. The prisoners shall be divided into three classes, to be called the first, second, and third classes. The classification shall depend, in the first instance, on the report of character and general conduct since conviction that may be received with a prisoner; and subsequently, on his actual conduct, industry, and observed character under the discipline of the establishment.

"6. Prisoners in either the first or second classes shall be liable to removal to a lower class for misconduct, The prisoners in the different classes shall be distinguished by badges, indicating the particular class to which each prisoner may belong.

"7. Prisoners who habitually misconduct themselves will be liable to be sent back to separate confinement, or to be removed to some penal establishment under more severe discipline.

"8. The object of the classification is not only to encourage regularity of conduct and a submission to discipline in the prison, by the distinctions that will be maintained in the different classes, but to produce on the minds of the prisoners a practical and habitual conviction of the effect which their own good conduct and industry will have on their welfare and future prospects.

"9. Such distinctions shall be made between the classes, and such privileges granted, as shall promote the object of giving encouragement to those whose good conduct may deserve it, provided such distinctions do not interfere with discipline nor with the execution of a proper amount of labour on public works."

Gratuities to well-conducted Convicts.

Gratuities to well-conducted convicts.

It will be observed that the foregoing rules refer especially to conduct and character, concerning which the best means which are available are resorted to in forming an opinion.

Industry, of course, will give some claim, but not the only claim, to be placed in the higher classes.

With a view, therefore, to encourage men who may be in the lower classes, at least not to cease to be industrious, a plan has been adopted in the distribution of a small gratuity, which is calculated to secure that object, and appears likely to work well.

Admiralty allowance to each prisoner at Portland.

The Lords Commissioners of the Admiralty have granted a sum of 1*s.* a week for each prisoner sent to Portland for the purpose of executing the great work that is going on under their direction. This amount, though apparently inconsiderable, is of great value to the prisoner in more ways than one. It is a present encouragement, and, to a small extent, a future provision on discharge.

Rules relative to gratuity.

The rules respecting it are as follows :—

"21. No prisoner during the period of his confinement or employment on public works has any *claim* to wages or remuneration of any kind, but as to reward for industry and good conduct a certain fixed gratuity will be *credited* to deserving men, of such an amount, and under such regulations, as may from time to time be established.

"The amount of the gratuity will depend on the class in which a prisoner may be placed ; but, as far as possible, opportunities will be offered for gaining an additional amount for extra exertion or work.

"The gratuity according to classes will for the present be as follows :—

Scale of gratuities.

1st class, per week	- - - -	9*d.*
2d „	- - - -	6*d.*
3d „	- - - -	4*d.*

"The cases of prisoners in the infirmary, or otherwise incapacitated by accident from going to work, to be specially considered.

"Prisoners misconducting themselves, or under punishment, forfeit all advantages.

"A prisoner by extra exertion will be eligible to be recommended for a gratuity of from 3*d.* to 6*d.* per week in addition to the above, or for any less sum, according to circumstances.

Manner of disposing of the sum placed to the men's credit.

"The amount placed to a prisoner's credit will be transmitted to the Governor of the colony to which the prisoner may be removed, and will be afterwards advanced to the prisoner under certain restrictions, or be otherwise applied to his benefit, as may be considered desirable."

Application of Convict Labour.

Application of convict labour.

In the application of convict labour under the old hulk system, it seems to have been understood by the men that it did not signify how much or how little work they performed; they were to drag their chains about the arsenals or dockyards for a certain number of hours, and that was enough. The result of this was that their ingenuity was exercised in exhibiting how little they could do within a given time.

Application of convict labour (Bermuda).

Occasionally this lamentable waste of labour came under the notice of the officers of the Ordnance, who, though in no way responsible for it, sought to remedy the evil. The most systematic effort in this direction was made by the Royal Engineer Department at Bermuda. The system in operation there from 1829 to 1833, is thus described by Captain Nelson, R.E.:—

"Little is needed to exhibit the expediency of employing convict-labour on works executed by the Admiralty or Ordnance. After a long acquaintance with its results, I am convinced of its efficiency where circumstances permit its adoption; in support of such conviction I have prepared Tables showing the actual amount of work performed during from four to six years.

"The systems of labour generally followed were those of 'task-work' and 'piece-work;' long experience having shown that, with very few exceptions, 'the day-work' plan amounted to no more than an experiment of how *little* could be done for any assigned amount, and it was one incessant source of annoyance to all parties, especially to the superintendents, who could never secure attention beyond the moment of their immediate presence.

"Finally, the three systems of day, task, and piece-work were all brought into play: *day-work*, almost exclusively confined to smiths and carpenters, whose business, lying generally in indefinite repairs, could not be well tasked or measured for piece-work, although when possible, it was so done: *task-work* for such objects as wheeling rubbish, where the day's labour was too severe to make it worth the convict's while to prolong it for the trifling extra pay that could be allowed.

"It was, however, very different with those employed in cutting stone, building, and blasting rock, or any other work which admitted of measurement. These men where put on '*piece-work*' with the happiest effect. In a distressing climate, and on less than a seaman's rations, they were for years in the constant habit of willing industry for very insignificant sums. As far as it might be, the great point was thus gained, not of a disgraceful system of vindictive justice, but of that more enlightened one whose object is chiefly the reformation of the unhappy subjects themselves: their labour in the meantime *far more than reimbursing Government* for the expenses of their punishment.

"The men were obliged to stay on the works during the whole of the working hours; they had no fixed tasks, and consequently had no option, when completed, as to whether they would go on board or not. If the work fell short of that required, or if it exceeded it, the payment was in proportion.

"We never had to complain of want of exertion, and the wheelers were never out of a trot the whole day. The excavators worked in gangs at large portions of work, sufficient to keep them employed for seven or eight days, ; they kept one another at work, and we never had occasion to speak to them."

This account is encouraging ; and "wheelers being in a trot" the livelong day in a hot climate shows that convicts only require some wholesome stimulus to convert an idle, degraded, mutinous throng of men (as by mismanagement they would soon become) into a working-party exerting themselves to the utmost of their power.

Governor Reid's opinion on convict labour (Bermuda).

Colonel Sir William Reid, of the Engineers, when Governor of Bermuda, also expresses his opinion, in a Despatch to Earl Grey, that the system referred to is so well arranged, that the men are encouraged by it, and that a much greater amount of work is performed for the public.

Value of Convict Labour.

Value of convict labour.

The following is an extract from my Third Report, dated 11th March 1850 :—

"There can be no question that, if it be necessary from any cause to carry into effect probationary periods of discipline in this country, and that, in consequence, a body of 10,000 or 12,000 men are to be maintained by the Government, they ought to be usefully employed. It is a confiscation of labour in which the Crown has a vested interest.

"This, as a matter of *finance*, will not in the opinion of some be regarded as the least of the questions to be considered, and by all will be acknowledged to be of some importance.

"If the least amount of money paid for the maintenance of convicts, who by sentence of the law are placed at the mercy and disposal of the Crown, were to be the test of a good system, it were easy to make them profitable to the State.

"A handful of soldiers to quell open mutiny, and a small but resolute staff of turnkeys to lock and unlock the strong rooms in which the men might be secured, would not cost much, and on suitable works the value of their labour would certainly exceed the cost of such maintenance.

"But in this Christian land such modes of discharging the responsibility of acquired authority will never again be tolerated ; and in realizing all that is possible in order to reduce the cost, the moral discipline and industrial training must be provided for, no matter what the expense. And it is satisfactory to reflect that the more judicious the arrangements for obtaining the willing industry of the convicts, the more effectually will those objects be promoted. It may, therefore, turn out that the administration of a reformatory system may also be found to be the cheapest as well as the best.

"It is to be feared, however, that, unless under very favourable circumstances, the outlay for carrying into effect such a system will exceed the returns arising from employment, but the balance against

the State may be very materially reduced, if the labour be judiciously applied. One of the objects at Portland is, to show to what extent this can be done consistently with other and more paramount considerations.

"The best exertions of the officers charged with carrying out the objects of the Government, with reference to the application of convict labour, would, however, be of no avail without the cordial co-operation of the departments on whose works the labour is applied.

Able assistance afforded by Admiralty Engineers.

"As regards Portland, I would avail myself of this opportunity of expressing the obligations I feel to Mr. Rendell, the Engineer of the Admiralty, and to Mr. Coode, the Resident Engineer, for the effective assistance which they have at all times afforded to Captain Whitty and myself.

"These gentlemen have evinced much interest in the industrial training of the men, and the success of our operations will be greatly promoted by the facilities they are disposed to afford.

"When the system adopted shall have been tested by experience, I hope, with the co-operation of the Admiralty and Ordnance authorities, to be enabled to render the labour in the dockyards and arsenals much more useful and valuable than it now is.

"If the necessity of detaining the convicts under probationary discipline in this country be admitted, and the works on which they are employed be either of national importance or useful, the expediency, in a financial point of view, of making the most of the labour, will be apparent."

Extracts from Notice to Prisoners under Sentence of Transportation, placed in the Cell of each Prisoner received into a Government Prison.

Tickets-of-Leave.

1. Rules and regulations for the maintenance of good order among ticket-of-leave holders are framed and promulgated in the colony. The following are at present some of their principal conditions; but it must be distinctly understood, that they are liable to be varied as may be judged to be necessary and proper by the authorities of the spot.

2. A convict embarked from this country as a ticket-of-leave holder, will not pass out of the custody of the Government in the colony, until he shall be engaged, for at least a year, for service with some private employer, who shall be responsible for making a certain payment, as hereafter explained in paragraph 5. If suitable service cannot be obtained, the convicts will be employed by Government at wages, out of which they will receive clothing and rations. A small proportion will be paid to them in money, and the remainder credited towards the liquidation of the amount required to be paid to the Government.

Until this amount is paid, a convict will only be entitled to a probationary ticket-of-leave, but the full privileges of a ticket-of-leave will be granted, as soon as he shall have paid the sum required, provided his conduct has been in all respects satisfactory.

3. The ticket-of-leave holder is required to remain in a particular district, within which he may hire himself out for wages—this is usually a country district, and he must not quit it without obtaining a pass from a magistrate; he must register his place of residence and any change of it; he must be at his own dwelling from 10 o'clock at night until day-break; and he must report himself at certain periods of the year at the police-office of his district. For some classes of offences he is liable to summary jurisdiction, and his ticket-of-leave may be recalled for misconduct, in which case he will be subjected to penal labour.

Conditional pardons, payments, &c.

4. Prisoners holding tickets-of-leave in a colony may, by continued good conduct, become eligible for a conditional pardon, after the lapse of certain periods from the time of landing in the colony, proportioned to the respective terms of transportation. Such pardon will restore them to liberty on condition of their not returning to this country, during the term of their original sentence, unless one special condition is attached to the pardon. These periods will be proportioned to the respective sentences according to the following scale:—

7 years, men	- - -	$1\frac{1}{2}$ years.
10 „	- - -	2 „
15 „	- - -	3 „
20 „	- - -	4 „
Life „	- - -	5 „

5. Prisoners, however, will be required to pay a certain sum to the Government in the colony, before such conditional pardon is granted. This sum will have to be reckoned as follows:—a certain rate of annual payment to be made by prisoners will be named in the colony, which will not be less than 3*l.*, nor more than 5*l.* a year, and the whole sum to be paid by each prisoner may then be calculated from the above scale, viz.:—

7 years, men	- - -	$1\frac{1}{2}$ years.
10 „	- - -	2 „
15 „	- - -	3 „
20 „	- - -	4 „
Life „	- - -	5 „

6. The privilege of holding a probationary ticket-of-leave, or other remission from penal labour, may be forfeited by misconduct on the voyage.

Hard Labour in Scotch Prisons.

"The numbers committed to the Prisons of Scotland during the year ending June last amounted to 27,384, being an increase of 1,439 on the year preceding.

"It is difficult to account for such an increase taking place during a period when employment was plenty and provisions cheap. I can only ascribe it, as in previous Reports, to the fact that the increased

prison accommodation so long preparing has not yet been brought to work; and though important changes have been made in the discipline of the Scotch prisons during the year, they had not been brought into operation at the period embraced in the returns.

"To understand the nature of the changes just referred to, it may be necessary that I explain what the Scotch prisons were until now.

"In my several annual Reports since I was appointed Inspector of the district in 1847, I felt it my duty to bring under the notice of the Secretary of State the defective system of dealing with the criminal population of Scotland; for at that time the law did not permit a thief or a vagrant to be sentenced to hard labour, nor a juvenile offender to be whipped; all of them were necessarily sent to prison, where they could not fail to discover that the labour was much less and the comforts much greater than most of them were accustomed to out of prison; and thus, while a first offence sent many a one to prison whom a stringent system of discipline might have cured, the undue comforts of the prison more generally tended to make them confirmed criminals.

"The passing of this Act having enabled the Directors of the General Prison Board to place the prisons of Scotland on a system of discipline more consistent with the welfare of the community, they immediately proceeded to consider the measures best calculated to give it effect; but as the different plans which suggested themselves, required information, it was towards the close of last year before the new rules were sanctioned and ordered to be enforced. They are shown in detail in the Fourteenth Report of the General Prison Board, and therefore it is only necessary for me to state generally that they consist of—

"1. An extensive use of crank machinery.

"2. Picking dry oakum to an extent that will make it amount to hard labour.

"3. Instead of being furnished with the hammock or bedstead, all convicted criminal prisoners, excepting any whose age or infirmities would, in the opinion of the governor and surgeon, render it unsafe, shall for the first month after conviction, or for the whole period of sentence where the duration of sentence is less than one month, each be required to sleep on a wooden guard bed, a sufficient quantity of covering being allowed for warmth, and which in a properly heated prison need not exceed two blankets and a rug. After the first month, such prisoners as shall have conducted themselves properly in all respects are to be allowed the usual beds and bedding; but the retention of this privilege shall in each case be dependent on the prisoner's conduct."

The following is taken from the Third Annual Report of the "Durham Refuge for Discharged Prisoners," being for the Year ending on the 30th April 1852:—

"It is now four years since the establishment of the 'Durham Refuge for Discharged Prisoners', and experience proves that it affords a most efficient means by which relapses into crime may be prevented.

"The question frequently occurs to those engaged in carrying out reformatory discipline in gaols, 'What is to be done with prisoners who have been partially improved or wholly reclaimed?' As yet, this vital question has received no general and satisfactory answer. On the one hand, it is necessary to avoid the danger of rendering prisons a stepping-stone to advancement in the world; and on the other, it is important to guard against the reformed or improved criminal being again driven to vicious pursuits, and induced to reconnect himself with his old associates in crime as his only means of support.

"Any system of prison discipline and instruction fails to accomplish its benevolent purpose, if those whom it has benefited are not quietly assisted, on discharge from gaol, in their efforts to recover their character and position in society.

"These considerations gave rise to this small, but most useful institution, which commenced its labours in the year 1848.

"Simple facts best testify to the advantage, if not to the necessity, for such an institution, as a seal to the reformatory system of prison discipline.

"The following Summary points out what has been done in four years:—

	1848	1849	1850	1851	TOTAL.
	£	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Expenditure - - -	29	30 0 5	68 4 2	71 13 4	198 17 11
Discharged prisoners restored to their relations, or placed in situations in which they could earn an honest livelihood, &c.	78	66	150	243	537
Of those failed; but have not been recommitted.	1	3	*6	*11	21
Recommitted - - -	2	2	*4	9	17

* These numbers include the failures and recommittals of some who were assisted in the previous years, and who continued for a time to give satisfaction, but afterwards relapsed into their former evil habits.

"Of the 17 who were recommitted, one, who had undergone four imprisonments, was restored to her parents and to rectitude; a boy, who had been four times in gaol, became an honest sea-apprentice; and a young woman, who had been twice imprisoned, became an inmate of a female Penitentiary, and has given perfect satisfaction to the managers for upwards of two years. These extreme cases afford some encouragement to persevere even against hope.

"It will be observed, that in four years, 537 prisoners have received the benefits of this Institution upon their discharge from gaol;—of whom 38, or seven per cent., have left their homes, or the situations provided for them; and that of these, 17 only have been recommitted to prison, while three of the 17 have been restored to society

after further imprisonment, and two others are at present under prison discipline and instruction; therefore only 12 or 2·23 per cent., have so far relapsed into crime as to be considered incorrigible.

"The subsequent course of all who have been assisted has not been fully investigated, for this was not possible in many cases; but the best criterion of their good conduct is to be found in the fact, that only 17 of the 537 have re-appeared in this prison, although employed for the most part in our own country. This is the more satisfactory, when it is considered that the great majority of these persons form part of that class, which, if not diverted at an early stage from a course of crime to one of honest industry, must continue in habits of idleness and sin, interrupted only by intervals of imprisonment.

"It may be well, however, to exhibit in fuller detail the operations of the past year.

	Assisted.	Succeeded.	Failed.	Recommitted.
Young men and boys sent to sea	49	47	1	1
Boys who ran away before obtaining employment	3	—	2	1
Sea-apprentices restored to their ships at the cost of this Institution.	19	18		1
Sea-apprentices restored to their ships at the cost of their owners, but at the solicitation of this Institution.	4	4	—	—
Boys and young men restored to their parents or relations at the cost of this Institution.	15	14	—	1
Boys and young men met by their parents or relations at the prison gate and taken home, or sent by railway at the cost of their relations.	94	93	—	1
Aged or infirm persons sent home by railway	2	2	—	—
Sent to an Infirmary	3	3	—	—
Men and women for whom employment was obtained	12	12	—	—
Sent to a Workhouse	2	1	—	1
Taken into a Ragged School	5	3	—	2
Young women restored to their parents or other relations	26	25	—	1
Young women placed out as Servants	5	3	2	—
Ditto sent to Newcastle Penitentiary	1	1	—	—
Ditto now in the Refuge	3	3	—	—
Total	243	229	5	9

"The small cost at which discharged prisoners are assisted requires some explanation. The refuge for young women is simply a room in the house of one of the gaol schoolmasters, who is a married man. When a young woman is placed under the charge of himself and his wife, 5*s.* 6*d.* per week, for each inmate, is paid to them; and when they have no one under their care, as frequently happens, no expense is incurred. The inmates are under the management and instruction of the ladies who visit the prison, and also of the Chaplain; and are controlled by the domestic discipline of the schoolmaster's family.

"Some young women are placed out as servants at the public hirings, where character is not very particularly investigated; although in such cases, as in all others, the circumstances of the young person are duly explained to her new master or mistress. Clothing, made up by the inmates themselves during their stay in the refuge, is given them upon their entering into service.

"Those who have respectable and honest parents are restored to them; a communication being made, in the first instance, through the post-office, and one parent is induced, if possible, to come to the prison to receive their child; in which case, the whole, or part of the railway-fare (according to the circumstances of the parent) is paid out of these funds. Others, after communication with their parents, are sent by the government-train to the station nearest to their homes, where they are met by their relatives; and in some instances thanks are returned by letter for the restoration of the straying member of a family. For others, admittance into a female penitentiary, or into a ragged-school, is obtained; and sometimes a donation is given with the inmate who is thus transferred.

"Young men and boys are restored to their parents or former employers in the same manner as above described, and boys who have no respectable relations are sent to ragged-schools, but by far the largest number (both of young men and boys) are sent to sea, as sailor-apprentices. This is accomplished by giving the discharged prisoner a note from the Chaplain to a shipping agent in a maritime town, situated eleven miles from the gaol. He is required to walk that distance; and if he delivered the note, as directed, to the agent he is received into his family, boarded, lodged, supplied (when necessary) with sea-clothing, introduced to a master-mariner, bound apprentice, and perhaps in a few days after he has left the prison he is at sea, and frequently on a foreign voyage.

"The cost of sending young persons to sea varies from five to twelve shillings each, part of which sum is repaid by order of the visiting justices of the prison.

"These are the principal means which have been adopted for the restoration of discharged prisoners to honesty, to virtue, and to society.

"The greatest discrimination is of course necessary in the selection of the persons who are to be assisted, and it may be observed that only 537 out of upwards of 7,500 prisoners have received help; and that these were chiefly young persons, whose domestic ties had been broken, or whose character had so far suffered in consequence of their imprisonment, that they could not otherwise find employment, but must inevitably have relapsed into crime.

"One of our first principles (as stated in a former report) is that in no case shall money be given to a discharged prisoner; nor are clothes supplied, except when absolutely necessary, until the parties have actually entered upon their employment. This system has so far succeeded that no one has returned to the prison with the expectation of receiving pecuniary benefit.

"The following table proves that many prisoners are independent of assistance—some are incorrigible and return to their former evil practices; others have not lost their former employment in consequence of imprisonment, and others again have homes or families to receive them:—

Table showing the probable fate of 1,625 *prisoners after their discharge from Durham Gaol in* 1851.

Returned to their former evil practices	618
Returned to their former employment	195
Returned home to their families	254
Young persons restored to their parents or nearest relations	135
Commended to the clergyman of their parish	39
Commended to a ship-agent to be sent to sea	84
Apprentices returned to their masters	95
Commended to masters of ragged schools	11
Taken into the refuge, and placed out as servants	7
Sent to the Newcastle penitentiary	2
Otherwise disposed of	185
Total number discharged from Durham gaol in 1851	1,625

"To the general co-operation of the magistracy of this county may be attributed in a great measure the success with which our labours have been rewarded; this co-operation has chiefly been afforded by the prompt adoption of a suggestion made in 1848, recommending that each member of a gang be sentenced to a different term of imprisonment. By this means each prisoner's term of punishment expires upon a different day; and the prison is thus not only made the ready and powerful instrument by which evil associates are permanently severed, but the possibility of restoring each individual, one by one upon discharge from gaol, to his relatives, or to an honest and reputable course of life, is greatly increased. For when criminals know that they will meet their former companions outside the prison gates, they rely upon each other for sympathy and support; the worst characters among the gang soon dispel any good impressions which may have been made during the period of discipline, they are probably persuaded to commit further depredations, and thus at no distant period they become again the inmates of a gaol.

"A well ordered prison may itself in some instances be made to supply the place of a refuge, if those entrusted with the reformatory part of prison discipline keep steadily in view the final disposal of the prisoner from the moment he is placed under their care. This is especially necessary with regard to juveniles. The simple plan adopted in Durham gaol has produced such excellent results that it seems worthy of especial notice. A printed form, called "the Chaplain's Circular," is sent by post to the parent or nearest relation of every prisoner under age one week before his discharge from the gaol. In this letter the parent is informed of the day and hour on which his child will leave the prison, and requested to meet him, and by his care and influence to keep him from falling into further crime.

"In 1851 this circular was sent to the parents or nearest relations of 468 prisoners who were under age, with the following results:—

Answered by parent or relative	96
Prisoners met by parent or relative on their discharge from gaol	116
Money sent by parent or relative to take prisoners home	42
Returned through dead letter-office from various causes	27
Unnoticed by parent or relative	187
Number of circulars sent	468

"This short account of the Durham refuge for discharged prisoners, it is hoped, may prove satisfactory, and entitle the institution to continued support."

ABSTRACT of the Table, showing the Number of Persons committed for Trial, &c., in England and Wales (1851), and the result of the Proceedings.

	Total number of offenders tried.	SENTENCES.								Acquitted, &c.	Total number not disposed of by transportation.	REMARKS.
		Death commuted into transportation.	Transportation.						Imprisonment, whipping, fines, sureties, &c.			
			Life.	Above 15 years.	15 years and above 10.	10 years and above 7.	7 years.	Total sentenced to transportation.				
1. Offences against the person, including murder, attempts to murder, manslaughter, rapes, assaults, &c.	2,218	30*	48	6	20	44	26	174	1,273	761	2,044	1. It appears from these figures that the total number of offenders was 2,218, of whom 174 were sentenced to transportation, and 1,273 were imprisoned, fined, &c. As about *one-third of the number sentenced to transportation are in various ways disposed of in this country*, the total number who would be sent abroad out of the 2,218 would be about 120.
2. Offences against property, committed with violence, including burglary, assaults with intent to rob, menacing letters to extort money.	2,060	28	44	9	87	285	279	742	828	490	1,321	2. In this class there was a total of 2,060 offenders, 739 sentenced to transportation, and 828 imprisoned. As above, deduct one-third from 739, the total number sent abroad out of the 2,060 would be about 500.
3. Offences against property, committed without violence, including cattle and horse-stealing, larceny, receiving stolen goods, &c.	21,906	—	13	9	73	505	1,182	1,782	15,573	4,551	20,124	3. Here were 21,906 offenders, 1,782 sentenced to transportation, and 15,573 imprisoned. Deduct one-third from 1782, leaves about 1,200 actually sent abroad out of 21,906.
4. Malicious offences against property, including arson, killing and maiming cattle.	305	1	16	1	30	35	12	95	54	155	210	4. Of a total of 305 offenders, 95 were sentenced to transportation, and 54 imprisoned, &c. Out of the 305 only about 65 would be actually sent abroad.
5. Forgery and offences against the currency.	808	—	2	3	4	23	35	67	648	93	741	5. Here 67 of a total number of 808 were sentenced to transportation, and 648 imprisoned, &c. About 45 only would therefore be sent abroad.
6. Other offences not included in the above classes.	663	—	1	—	3	3	28	35	319	309	628	6. Of a total number, in this class of 663, 35 were sentenced to transportation, and 319 imprisoned. Only about 24 would be sent abroad.
Totals† - -	27,960	59	124	38	217	895	1,562	2,895	18,695	6,359	25,058	

* These numbers are exclusive of capital punishments.

† Here is a gross total of 27,960 offenders, of whom 2,892 were sentenced to transportation and 18,695 imprisoned, &c. Deduct one-third from 2,892, and it will appear that out of 27,960, only about 2,000 were sent abroad; and therefore, 25,960 were released in this country. (Of the total number to be thus disposed of by transportation, one-half at least would be under sentence of 7 years, and it has been in contemplation in these cases to substitute imprisonment.)

RETURN of the Disposal of Convict Labour in the Quarter ending 31st March 1853; shewing the average daily number employed in each Department, and at different kinds of Prison Work, the number non-effective, and the proportion per cent. of each upon the whole average number in the Prison throughout the Quarter.

	Department.	Daily average number employed.	Proportion per cent. on the whole number in the prisons.	Proportion per cent. on public and prison works and non-effective.	Proportion per cent. effective and non-effective.
Public Departments.	Dockyard	492	51·681	70·904	
	Royal Clarence Yard	14	1·471		
	Ordnance, Gun Wharf	30	3·151		
	Royal Engineers, Portsmouth.	85	8·929		
	Royal Engineers, Gosport	47	4·937		
	Haslar Hospital	7	·735		
Prison Work	Blacksmiths	6	·630	13·550	Effective 84·454
	Carpenters	9	·945		
	Painters and Plumbers	5	·525		
	Bricklayers	2	·210		
	Boatmen	7	·735		
	Mat Makers	2	·210		
	Cooks	9	·945		
	Cleaners	14	1·471		
	Bookbinders	3	·315		
	Tailors	15	1·576		
	Shoemakers	13	1·366		
	Washers	15	1·576		
	Pumpers	14	1·470		
	Excavating	15	1·576		
Non-effective	Punishment:				
	On bread and water	5	·525	1·365	Non-effective 15·546
	On half diet	1	·105		
	On three-quarter diet	7	·735		
	On full diet	—	—		
	Separate for other reasons	3	·315	14·181	
	At school	83	8·719		
	Sick	43	4·517		
	Time lost	6	·630		
	Total	952	100·	100·	100·

C. R. KNIGHT, *Governor.*

EXTRACT from a Speech of the Rev. JOHN CLAY, Chaplain of Preston Gaol, on the subject of the expense entailed on the country by inattention to the moral and industrial training of neglected children.

"Looking to the criminal statistics published by Captain Willis, the Chief Constable of Manchester, and to the details which are given in the Liverpool calendars, and assuming that the ages of transports, generally, are represented in those returns, it would

appear that of the 3,100 I have mentioned, 43 per cent. are under twenty-one years old—1,333 ; 45 per cent. are between twenty-one and thirty years of age—1,395 ; and 12 per cent., or 372, are above thirty years of age. Now, it is not taking too much for granted to say that criminals, sentenced to transportation before they reach thirty-one years of age, have commenced their criminal career at a time of life when they should have been learning a better way. But society has "*ignored*" their very existence. Let us see what society pays for its indifference. Offenders, generally, are not sentenced to transportation until they have appeared at the bar four or five times. I will, therefore, suppose the expense of between three and four prosecutions, at Assizes or Sessions, to be 50*l.* The average imprisonment of each offender *before* transportation may be taken at three years, and the expense of it at 65*l.*; three years' probation in separate confinement, at Parkhurst, or public works, 50*l.*; removal to the Colonies, &c., &c., 35*l.*; total, 200*l.* So that when 3,000 sentences of transportation are passed in a year, we may consider them tantamount to a notification to the public that a last instalment of a sum exceeding half a million sterling is about to be called for! To be as precise as the nature of this inquiry will allow, the 2,728 convicts under thirty-one years of age, to whom I have already alluded as having run the career of juvenile criminality, represent a cost *waste* of 545,600*l.*! But let it be remembered that the felonry of this Kingdom—and whether juvenile or adult, it belongs to this question to consider the fact—is not maintained, while at large, for nothing. Having investigated, to a considerable extent, the rates of income derived by thieves from their practices, and having obtained estimates of the same thing from intelligent and experienced convicts themselves, I believe myself to be within the real truth, when I assume such income to be more than 100*l.* a year for each thief! Well, then, allowing only two years' full practice to one of the dangerous class previous to his sentence of transportation, I do not know how the conclusion can be escaped that, in one way or another, the public—the easy, indifferent, callous public—has been, and is, mulcted to the amount of more than a million sterling, by, and on account of its criminals annually transported! But its criminals who are not transported!—still living on their dishonest gains, or in our costly prisons! We must not forget them in our calculations of the cost of crime, though it will be sufficient for my present purpose merely to refer to them, and to say that I am convinced that their cost to the community *in* and OUT of prison amounts annually to some millions! This assertion may be somewhat startling: I will only state one fact in support of it. Some years ago a committee of inquiry into the annual depredations of the Liverpool thieves, stated the amount of those depredations at *seven hundred thousand pounds!* Need more be said on the economical part of this momentous question? Need I ask you to balance between the charge of training the young outcasts of the country to godly and industrious habits, and the waste of money, time, and SOULS, consequent upon our neglect of an undeniable Christian duty?

Mr. Thomson, of Banchory, speaking of the relative expense of affording the means of industrial training to neglected children at Aberdeen, or of allowing them to pursue their natural course, and fall into criminal pursuits, stated :—

'When we get hold of these children, and instead of sending them to prison, bring them to our Industrial Schools, we find the whole expense of teaching and feeding them is under 5*l.* a year. And of that expense, on an average, about 1*l.* 5*s.* is saved to the school by the work of the children. So that we can bring up children—so far as man can do it—honestly, and industriously, and religiously, at an expense of 3*l.* 15*s.* per annum. Whereas, if you send them to the poor house, they cost about 10*l.* per annum each with us, and I believe a larger sum in this country. If they are sent to prison, we know that the expense is from 18*l.* to 20*l.* ; and if we send them upon the distant voyage to Australia, we know that the cost altogether amounts to a very large sum. Upon an average of cases, we find that five years' training in the Industrial Schools is sufficient to make the child a useful member of society ; and suppose the expense to amount to 5*l.* per annum, we have then the choice of making one of these children an honest and virtuous member of society for 20*l.*, or of sending him ultimately into a penal settlement, at a great cost."

This subject is also adverted to in a petition from the Magistrates of Liverpool, presented to the House of Commons so far back as 1842. The petitioners stated :—

" That in order to enable your Honourable House to form a judgment of the cost of the present system, your Petitioners beg to record the actual cost of attending fourteen cases of juvenile delinquents, who have from time to time been committed to the prison of this borough. The cases referred to were fairly selected, in the year 1842, from the mass of juvenile prisoners in the prison, by one of their body, who was at that time endeavouring to ascertain the charge incurred by the treatment of juvenile offenders in prison, in contrast with those in Reformatory Institutions. That the cost of prosecutions, in the estimate relating to these fourteen cases, are much less than the usual costs, because the Corporation of Liverpool are the public prosecutors, and all expenses are most economically conducted."

After going into the history of each of these fourteen cases, the petitioners went on to speak of the cost. They said:—

"That the costs of apprehension, maintenance, prosecution, and punishment was of

	£	*s.*	*d.*
No. 1	129	5	6½
No. 2	71	2	10½
No. 3	74	1	10½
No. 4	71	13	1
No. 5	47	9	3
No. 6	64	6	6½
Carried forward	467	19	2

	£	s.	d.
Brought forward -	467	19	2
No. 7 - - -	99	2	5½
No. 8 - - -	72	1	4½
No. 9 - - -	52	9	7¼
No. 10 - - -	64	18	9¼
No. 11 - - -	28	10	4½
No. 12 - - -	39	8	10½
No. 13 - - -	26	10	10
No. 14 - - -	47	7	7½
And thus these offenders cost the public -	£888	9	1

It thus appears that the average cost of these fourteen prisoners was about 63*l.* 8*s.*

It is more than probable that the whole of the boys referred to in the above statement were eventually transported. The additional cost to the country for each may be thus stated :—

Average detention at Parkhurst, 3 years at 16*l.* -	£48
Voyage and outfit - - - -	25
Proportion of expenses in the Australian Colonies, consequent on transportation - -	70
	£143

Causes of Crime.—Drunkenness.

It is very generally admitted by those who have given the greatest attention to the *causes of crime*, that drunkenness is the vice to which almost all others may be traced.

Mr. Thomson, of Banchory, near Aberdeen, makes the following observations, as regards Scotland, in a recent work, entitled, "Social Evils, their Causes and Cure :"—

"Scotland affords a melancholy proof of the effect of cheapening spirits to a people.

"In former years Scotland probably was, and certainly did boast, ay, and still boasts, of being the most religious portion of the empire. It was formerly, at least in the lower classes, the most sober and temperate of the three kingdoms ; but one single financial measure changed the whole aspect of the land. In 1825 the duty on whiskey was greatly reduced ; intemperance began to increase, and, in the 27 years which have since elapsed, the consumption has become nearly *fivefold* greater ; crime, disease, and death have increased in similar proportion ; and the sober, religious Scotland of other days is now *proved*, by its consumption of spirits, to be, without exception, the most drunken nation in Europe."

Drunkenness in the Army.

It is a striking fact, in confirmation of the above view, that no sooner does a regiment go to Scotland or Ireland, than the same causes which operate in demoralising the people there are immediately perceptible in the increase of crime amongst the soldiers.

In the statistics of the military prisons, which appear in my Report for the year 1852, it will be found that whilst the committals for drunkenness among the troops quartered in England amounted to about 7 in 1,000 men, in Scotland and Ireland they have amounted to about 20 in 1,000.

COMPARATIVE ABSTRACT of the Estimates for the Maintenance of the CONVICT PRISONS for the Years 1852–53 and 1853–54, showing the Amount under each head of Service, the Number of Prisoners, and the Cost per head.

HEADS OF SERVICE.	MILLBANK. 1,300 Prisoners 1852–3. 1,300 „ 1853–4.				PENTONVILLE. 561 Prisoners 1852–53. 561 „ 1853–54.			
	1852–53.		1853–54.		1852–53.		1853–54.	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Salaries of principal officers and clerks	4,444	0	0	4,349	10	0	2,480	0	0	2,505	0	0
Cost per prisoner												
Wages of inferior officers and servants	6,622	0	0	6,737	14	0	1,723	14	0	1,677	4	0
Cost per prisoner												
Salaries and wages of manufacturing or labour department	2,638	14	0	2,606	10	0	1,835	14	0	1,793	17	0
Cost per prisoner												
Total amount of salaries	13,704	14	0	13,693	14	0	6,039	8	0	5,976	1	0
Total cost per prisoner												
Rations for officers, and allowances in lieu thereof	1,384	10	0	1,260	0	0	441	0	0	360	0	0
Cost per prisoner												
Uniforms for officers and servants	70	0	0	200	0	0	80	0	0	100	0	0
Cost per prisoner												
Victualling prisoners	7,600	0	0	7,600	0	0	3,927	0	0	3,927	0	0
Cost per prisoner												
Clothing prisoners	2,550	0	0	2,550	0	0	1,065	18	0	1,065	18	0
Cost per prisoner												
Bedding prisoners	325	0	0	325	0	0	112	4	0	112	4	0
Cost per prisoner												
Medicines, surgical instruments, &c.	350	0	0	300	0	0	100	0	0	120	0	0
Cost per prisoner												
Medical comforts (extras for the sick)	500	0	0	600	0	0	290	0	0	100	0	0
Cost per prisoner												
Clothing and travelling expenses of prisoners on liberation	30	0	0	10	0	0	20	0	0	10	0	0
Cost per prisoner												
Furniture and fittings	-	-		50	0	0	60	0	0	100	0	0
Cost per prisoner												
Kitchen utensils, crockery, cutlery, &c.	150	0	0	150	0	0	70	0	0	60	0	0
Cost per prisoner												
Fuel and light for general purposes	2,500	0	0	3,000	0	0	900	0	0	800	0	0
Cost per prisoner												
Soap, scouring and cleaning articles	500	0	0	500	0	0	200	0	0	200	0	0
Cost per prisoner												
Brushes, brooms, and mops	200	0	0	150	0	0	80	0	0	100	0	0
Cost per prisoner												
Funeral expenses, inquests, &c.	50	0	0	50	0	0	10	0	0	10	0	0
Cost per prisoner												
Rent, rates, and taxes	180	0	0	180	0	0	66	0	0	92	0	0
Cost per prisoner												
Various small disbursements	100	0	0	100	0	0	100	0	0	100	0	0
Cost per prisoner												
Gross total cost of maintenance	30,194	4	0	30,718	14	0	13,561	10	0	13,233	3	0
Gross total cost per prisoner												
Deduct—												
Earnings of prisoners	4,000	0	0	4,100	0	0	2,500	0	0	2,042	8	0
House rent paid by officers	-	-		-	-		172	12	0	186	0	0
Net total cost of maintenance	26,194	4	0	26,618	14	0	10,888	18	0	11,004	15	0
Net cost per prisoner												

HEADS OF SERVICE.	PORTLAND. 840 Prisoners 1852–53. 1,070 „ 1853–54.				PORTSMOUTH. 1,020 Prisoners 1852–53. 1,020 „ 1853–54.			
	1852–53.		1853–54.		1852–53.		1853–54.	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Salaries of principal officers and clerks	2,476	10	0	2,623	2	6	2,425	0	0	2,555	0	0
Cost per prisoner												
Wages of inferior officers and servants	4,654	15	0	5,731	0	3	4,949	0	0	5,376	8	3
Cost per prisoner												
Salaries and wages of manufacturing or labour department	659	9	0	663	9	0	497	17	0	455	6	0
Cost per prisoner												
Total amount of salaries	7,790	14	0	9,017	11	9	7,871	17	0	8,386	14	3
Total cost per prisoner												
Rations for officers, and allowances in lieu thereof	739	10	0	999	0	0	900	0	0	918	0	0
Cost per prisoner												
Uniforms for officers and servants	100	0	0	140	0	0	250	0	0	270	0	0
Cost per prisoner												
Victualling prisoners	6,300	0	0	8,025	0	0	7,905	0	0	7,905	0	0
Cost per prisoner												
Clothing prisoners	2,520	0	0	3,745	0	0	2,244	0	0	3,060	0	0
Cost per prisoner												
Bedding prisoners	168	0	0	628	0	0	714	0	0	714	0	0
Cost per prisoner												
Medicines, surgical instruments, &c.	120	0	0	150	0	0	140	0	0	150	0	0
Cost per prisoner												
Medical comforts (extras for the sick)	150	0	0	230	0	0	180	0	0	100	0	0
Cost per prisoner												
Clothing and travelling expenses of prisoners on liberation	10	0	0	290	0	0	59	0	0	300	0	0
Cost per prisoner												
Furniture and fittings	30	0	0	100	0	0	1,000	0	0	100	0	0
Cost per prisoner												
Kitchen utensils, crockery, cutlery, &c.	60	0	0	80	0	0	150	0	0	100	0	0
Cost per prisoner												
Fuel and light for general purposes	800	0	0	840	0	0	1,200	0	0	1,150	0	0
Cost per prisoner												
Soap, scouring and cleaning articles	250	0	0	290	0	0	300	0	0	400	0	0
Cost per prisoner												
Brushes, brooms, and mops	50	0	0	85	0	0	100	0	0	150	0	0
Cost per prisoner												
Funeral expenses, inquests, &c.	10	0	0	30	0	0	50	0	0	10	0	0
Cost per prisoner												
Rent, rates, and taxes	60	0	0	70	0	0	220	0	0	150	0	0
Cost per prisoner												
Various small disbursements	200	0	0	140	0	0	400	0	0	250	0	0
Cost per prisoner												
Gross total cost of maintenance	19,358	4	0	24,859	11	9	23,674	17	0	24,113	14	3
Gross total cost per prisoner												
Deduct—												
Earnings of prisoners	[illegible]*			[illegible]*			[illegible]*			[illegible]*		
House rent paid by officers	400	0	0	430	0	0	-	-		100	0	0
Net total cost of maintenance	[illegible]			3,861	11	9	9,138	17	0	6,113	14	3
Net cost per prisoner												

HEADS OF SERVICE.	DARTMOOR. 1,300 Prisoners 1852–53. 1,300 „ 1853–54.				HULKS. 1,280 Prisoners 1852–53. 1,378 „ 1853–54.			
	1852–53.		1853–54.		1852–53.		1853–54.	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Salaries of principal officers and clerks	2,685	0	0	2,784	15	0	3,725	0	0	4,312	10	0
Cost per prisoner				2	2	10	2	18	2	3	2	7
Wages of inferior officers and servants	7,022	10	0	7,273	10	0	6,165	15	0	6,856	15	0
Cost per prisoner				5	11	10	4	16	4	4	19	1
Salaries and wages of manufacturing or labour department	654	8	0	716	14	0	-	-		-	-	
Cost per prisoner				11	0							
Total amount of salaries	10,361	18	0	10,774	19	0	9,890	15	0	11,169	5	0
Total cost per prisoner				8	5	9	7	14	6	8	2	0
Rations for officers, and allowances in lieu thereof	1,419	0	0	1,260	0	0	1,240	0	0	1,170	0	0
Cost per prisoner							19	5		17	0	
Uniforms for officers and servants	460	0	0	420	0	0	280	0	0	280	0	0
Cost per prisoner												
Victualling prisoners	10,213	0	0	10,187	10	0	10,540	0	0	10,046	0	0
Cost per prisoner				7	16	8	8	4	8	7	5	0
Clothing prisoners	4,095	0	0	4,550	0	0	2,880	0	0	3,445	0	0
Cost per prisoner				3	10	0	2	5	0	2	10	0
Bedding prisoners	650	0	0	975	0	0	448	0	0	689	0	0
Cost per prisoner				15	0		7	0		10	0	
Medicines, surgical instruments, &c.	400	0	0	300	0	0	700	0	0	500	0	0
Cost per prisoner												
Medical comforts (extras for the sick)	800	0	0	800	0	0	750	0	0	900	0	0
Cost per prisoner												
Clothing and travelling expenses of prisoners on liberation	-	-		550	0	0	20	0	0	280	0	0
Cost per prisoner												
Furniture and fittings	750	0	0	100	0	0	300	0	0	200	0	0
Cost per prisoner												
Kitchen utensils, crockery, cutlery, &c.	150	0	0	150	0	0	70	0	0	150	0	0
Cost per prisoner												
Fuel and light for general purposes	1,600	0	0	1,800	0	0	650	0	0	800	0	0
Cost per prisoner												
Soap, scouring and cleaning articles	500	0	0	500	0	0	320	0	0	350	0	0
Cost per prisoner												
Brushes, brooms, and mops	200	0	0	200	0	0	100	0	0	120	0	0
Cost per prisoner												
Funeral expenses, inquests, &c.	100	0	0	50	0	0	150	0	0	200	0	0
Cost per prisoner							2	4		2	10	
Rent, rates, and taxes	520	0	0	300	0	0	360	0	0	360	0	0
Cost per prisoner							5	7		5	4	
Various small disbursements	600	0	0	600	0	0	250	0	0	200	0	0
Cost per prisoner							3	11		3	0	
Gross total cost of maintenance	32,818	18	0	33,517	9	0	28,948	15	0	30,859	5	0
Gross total cost per prisoner				25	10	3	22	12	4	22	6	5
Deduct—												
Earnings of prisoners	[illegible]*			13,532	18	0	15,000	0	0*	21,383	8	4
House rent paid by officers	300	0	0	300	0	0	-	-		-	-	
Net total cost of maintenance	21,518	18	0	19,684	11	0	13,948	15	0	9,475	16	8
Net cost per prisoner				15	2	10	10	17	10	6	17	6

HEADS OF SERVICE.	PARKHURST. 625 Prisoners 1852–53. 625 „ 1853–54.				SUMMARY. 6,926 Prisoners 1852–53. 7,254 „ 1853–54. Add 900, assumed accumulation.			
	1852–53.		1853–54.		1852–53.		1853–54.	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Salaries of principal officers and clerks	2,475	0	0	2,522	10	0	20,710	10	0	21,652	7	6
Cost per prisoner							2	19	9	2	19	8
Wages of inferior officers and servants	2,281	8	9	2,221	3	9	33,419	2	9	35,873	15	3
Cost per prisoner							4	16	7	4	19	0
Salaries and wages of manufacturing or labour department	694	8	0	753	18	0	6,980	10	0	6,989	14	0
Cost per prisoner												
Total amount of salaries	5,450	16	9	5,497	11	9	61,110	2	9	64,515	16	9
Total cost per prisoner	8	14	5	8	15	10	8	16	5	8	17	10
Rations for officers, and allowances in lieu thereof	396	0	0	414	0	0	6,520	0	0	6,381	0	0
Cost per prisoner	12	8		13	4		18	10		17	7	
Uniforms for officers and servants	115	0	0	110	0	0	1,355	0	0	1,520	0	0
Cost per prisoner												
Victualling prisoners	3,750	0	0	3,750	0	0	50,235	0	0	51,440	10	0
Cost per prisoner	6	0	0	6	0	0	7	5	0	7	1	10
Clothing prisoners	1,109	7	6	1,109	7	6	16,464	5	6	19,525	5	6
Cost per prisoner	1	15	6	1	15	6	2	7	6	2	13	10
Bedding prisoners	104	3	4	125	0	0	2,521	7	4	3,568	4	0
Cost per prisoner	3	4		4	0		7	3		9	8	
Medicines, surgical instruments, &c.	80	0	0	85	0	0	1,890	0	0	1,605	0	0
Cost per prisoner										4	5	
Medical comforts (extras for the sick)	80	0	0	110	0	0	2,750	0	0	2,840	0	0
Cost per prisoner										7	10	
Clothing and travelling expenses of prisoners on liberation	10	0	0	60	0	0	140	0	0	1,500	0	0
Cost per prisoner										4	2	
Furniture and fittings	150	0	0	150	0	0	2,290	0	0	†2,800	0	0
Cost per prisoner										6	11	
Kitchen utensils, crockery, cutlery, &c.	50	0	0	50	0	0	700	0	0	740	0	0
Cost per prisoner										2	5	
Fuel and light for general purposes	500	0	0	500	0	0	8,150	0	0	8,890	0	0
Cost per prisoner												
Soap, scouring and cleaning articles	80	0	0	80	0	0	2,150	0	0	2,320	0	0
Cost per prisoner										6	5	
Brushes, brooms, and mops	50	0	0	50	0	0	780	0	0	855	0	0
Cost per prisoner	1	7		1						2	4	
Funeral expenses, inquests, &c.	5	0	0	10	0	0	375	0	0	360	0	0
Cost per prisoner			2			4	1	1		1	0	
Rent, rates, and taxes	175	0	0	137	0	0	1,581	0	0	1,289	0	0
Cost per prisoner	5	9		4	3		4	7		3	6	
Various small disbursements	150	0	0	100	0	0	1,800	0	0	1,490	0	0
Cost per prisoner	4	3		3	2		5	2		4	1	
										‡21,600	0	0
Gross total cost of maintenance	12,255	7	7	12,337	19	3	160,811	15	7	193,239	16	3
Gross total cost per prisoner	19	12	2	19	14	10	23	4	4	23	14	0
Deduct—												
Earnings of prisoners	1,740	0	0	2,147	0	0	8,240	0	0	9,989	8	0
House rent paid by officers	200	0	0	180	0	0	1,072	12	0	1,196	0	0
Net total cost of maintenance	10,315	7	7	10,010	19	3	151,499	3	7	182,054	8	3
Net cost per prisoner	16	10	1	16	0	4	21	17	4	22	6	6

* These amounts are not applicable in reduction of the sums voted by Parliament, but they are the value of the labour executed by the convicts employed on public works, in the construction of the breakwater at Portland, and in the dockyards and arsenals at Woolwich and Portsmouth.

† In this is included a sum of 2,000*l.* for fittings, in connexion with new prisons in contemplation.

‡ For 900 additional convicts in Great Britain, at 24*l.* per head.